

9-1

**COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT**

*Promoting the wise use of land
Helping build great communities*

SUBDIVISION REVIEW BOARD

MEETING DATE June 6, 2005	CONTACT/PHONE Elizabeth Kavanaugh 805/788-2010	APPLICANT Alberto and Delfina Cardenas	FILE NO. CO 03-0255 S030052P
SUBJECT A proposal for a parcel map to subdivide a 20.08-acre parcel into 4 parcels of approximately 5 acres each for the purpose of sale and/or development of each proposed parcel. The division will create one on-site road. The proposed project site is within the Residential Rural land use category and is located on the north side of Mesa Road, approximately 1.75 miles west of Tefft Street, approximately three miles west of the community of Nipomo, in the South County Inland (rural) planning area.			
RECOMMENDED ACTION 1. Adopt the Negative Declaration in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq. 2. Approve Vesting Tentative Parcel Map CO 03-0255 based on the findings listed in Exhibit A and the conditions listed in Exhibit B.			
ENVIRONMENTAL DETERMINATION The Environmental Coordinator, after completion of the initial study finds that there is no substantial evidence that the project may have a significant effect on the environment, and that the preparation of an Environmental Impact Report is not necessary. Therefore, a Mitigated Negative Declaration(pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulation section 15000 et seq.) has been issued on April 21, 2005 for this project. Mitigation measures are proposed to address Agriculture, Air Quality, Hazards/ Hazards Materials, Public Services/ Utilities, Recreation, Transportation, Wastewater, and Water.			
LAND USE CATEGORY Residential Rural	COMBINING DESIGNATION None	ASSESSOR PARCEL NUMBER 091-283-029	SUPERVISOR DISTRICT(S) 4
PLANNING AREA STANDARDS: Rural Area Standards - Residential Rural			
LAND USE ORDINANCE STANDARDS: None			
EXISTING USES: Strawberry field			
SURROUNDING LAND USE CATEGORIES AND USES: <i>North:</i> Residential Rural/ scattered residence <i>East:</i> Residential Rural/ scattered residence <i>South:</i> Residential Rural/ scattered residence, greenhouses <i>West:</i> Residential Rural/ scattered residence, greenhouses, agriculture field			
<p align="center">ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER ♦ SAN LUIS OBISPO ♦ CALIFORNIA 93408 ♦ (805) 781-5600 ♦ Fax: (805) 781-1242</p>			

9-2

OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Nipomo Community Advisory Group, Public Works, Environmental Health, Ag Commissioner, County Parks, CDF, APCD, and Department of Fish and Game	
TOPOGRAPHY: Nearly level	VEGETATION: Strawberry plants
PROPOSED SERVICES: Water supply: On-site well Sewage Disposal: Individual septic system Fire Protection: CDF	ACCEPTANCE DATE: August 12, 2004

ORDINANCE COMPLIANCE:

Minimum Parcel Size

Section 22.22.060 of the Land Use Ordinance establishes standards for determining minimum parcel sizes in the Residential Rural land use category. The standards are based on the distance from an urban areas, fire response time, type of access serving the property and the topography of the site. Minimum parcel size is based on the largest parcel size as calculated by tests. The proposed parcels meet all requirements for five-acre parcels as follows:

TEST	STANDARD	MINIMUM PARCEL SIZE
Remoteness	One mile from the Nipomo urban reserve line	5 acres
Fire Hazard/ Response Time	Within the 15 minute response time In the high fire hazard area	5 acres
Access	Located on a 40 foot right-of-way	5 acres
Slope	Average slope is between 0and 15%	5 acres

Quimby Fees

Title 21, the Real Property Division Ordinance, establishes an in-lieu fee for all new land divisions for the purpose of developing new, or rehabilitating existing, park or recreational facilities to serve the land division. Payment of the parkland fee for all undeveloped parcels is required prior to map recordation.

Affordable Housing Fees

County Ordinance 2529 establishes a fee of 3.5% of the public facility fee for all new land divisions. This allows recognized affordable housing projects to be exempted from public facility fees.

Design Standards

The proposed parcels are consistent with the design criteria set forth in Chapter 3 of the Title 21 of the Real Property Division Ordinance.

Subdivision Review Board
CO 03-0255 / Cardenas
Page 3

Road Improvements

This application was reviewed in detail by both Public Works and Planning and Building relative to access and circulation requirements for the area. This is in response to the potential for further divisions and development in the site vicinity. As a result of this review, road improvements are recommended as a means of providing appropriate access and circulation for this area.

PLANNING AREA STANDARDS:

Rural Area Standards - Residential Rural: There is several standards listed within this section most require development and improvements honor the topography and biological features of the site. This parcel is nearly level and doesn't have any significant biological features. For this reason, the only standard that is relative to this site is a required 80-foot front setback. This project has been conditioned to meet this setback.

COMBINING DESIGNATIONS:

None

MAJOR ISSUES

This project has two issues associated with it. 1) It is adjacent to an existing agriculture field. 2) This parcel has been and is currently used as a strawberry field. The pesticide Methyl Bromide is typically applied to strawberry fields. The Agriculture Department has no concerns about prior use of pesticides on this site because Methyl Bromide is rarely found in the soil. In addition, this site has sandy soils in which pesticide residues leach through quickly and easily. However, the Agriculture Department is recommending a 200-foot agriculture buffer from the western property line for 762 feet from the northern property line to protect adjacent agriculture. This project has been conditioned to meet this recommendation.

COMMUNITY ADVISORY GROUP COMMENTS:

None

AGENCY REVIEW:

Public Works - Require road improvements

Environmental Health – Additional, well documentation required prior to final map

Ag Commissioner- Less than significant impact to Agriculture

County Parks –A detached trail to the Counties A-1(X) rural standard along Mesa Road Frontage

CDF – Issued a Fire Safety letter dated November 16, 2003

LEGAL LOT STATUS:

Certificate of Compliance 2002-0044758 legally created the one lot.

FINDINGS - EXHIBIT A

Environmental Determination

- A. The Environmental Coordinator, after completion of the initial study finds that there is no substantial evidence that the project may have a significant effect on the environment, and that the preparation of an Environmental Impact Report is not necessary. Therefore, a Mitigated Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulation section 15000 et seq.) has been issued on April 21, 2005 for this project. Mitigation measures are proposed to address Agriculture, Air Quality, Hazards/ Hazards Materials, Public Services/ Utilities, Recreation, Transportation, Wastewater and Water.

Tentative Map

- B. The proposed map is consistent with applicable county general and specific plans because it complies with applicable area plan standards and is being subdivided in a consistent manner with the Residential Rural land use category.
- C. The proposed map is consistent with the county zoning and subdivision ordinances because the parcels meet the minimum parcel size set by the Land Use Ordinance and the design standards of the Real Property Division Ordinance.
- D. The design and improvement of the proposed subdivision are consistent with the applicable county general and specific plans because required improvements will be completed consistent with county ordinance and conditions of approval and the design of the parcels meets applicable policies of the general plan and ordinances.
- E. The site is physically suitable for the type of development proposed because the proposed parcels contain adequate area for development of primary and secondary dwellings.
- F. The site is physically suitable for the proposed density of the development proposed because the site can adequately support a primary and secondary dwelling.
- G. The design of the subdivision or the proposed improvements will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat because the site is currently being used as a strawberry field and is not habitat for fish or wildlife.
- H. The design of the subdivision or the type of improvement will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.
- I. The proposed map complies with Section 66474.6 of the State Subdivision Map Act, as to methods of handling and discharge of waste.

Subdivision Review Board
CO 03-0255 / Cardenas
Page 5

- J. In the interest of the public health and safety, and as a necessary pre-requisite to the orderly development of the surrounding area, the construction of any road improvements shall occur prior to recordation of the parcel map or, if bonded for, within one year after recordation of the parcel map and prior to issuance of a permit or other grant of approval for development on a parcel.

EXHIBIT B
CONDITIONS OF APPROVAL FOR CO 03-0225 Cardenas
County File Number S030052P

Approved Project

1. This approval authorizes the division of one twenty-acre parcel into four parcels of five acres each.

Access and Improvements

2. Roads and/or streets to be constructed to the following standards:
 - a. Mesa Road shall be constructed to a 2/3 A-1(X) rural section within a minimum 60-foot dedicated right-of-way fronting the property, Minimum 18 foot wide improvement.
 - b. A road shall be constructed to a 2/3 A-1 rural section from the property to a paved public road(minimum paved width to be 18 feet).
3. A private easement shall be reserved on the map for access to lots one and two.

Improvement Plans

4. Improvement plans shall be prepared in accordance with San Luis Obispo County Improvement Standards and Specifications by a Registered Civil Engineer and submitted to the Department of Public Works and the county Health Department for approval. The plan is to include:
 - a. Street plan and profile.
 - b. Drainage ditches, culverts, and other structures (if drainage calculations require).
 - c. Grading and erosion control plan for subdivision related improvement locations.
 - d. Public utility plan, showing all existing utilities and installation of all utilities to serve every lot.
 - e. Trail plan, to be approved jointly with the Park Division. The applicant agrees to construct a detached trail along the Mesa Road frontage of the project site consistent with the County A-1(x) standard. **Prior to approval of the final map or improvement plans** (whichever occurs first), the Parks Division shall review and approve the proposed location of the trail corridor along Mesa Road. If the applicant cannot provide the required trail corridor within the road right-of-way, the applicant shall provide a trail easement or in-fee dedication (as necessary) for the required trail corridor with the final map.
5. The applicant shall enter into an agreement with the county for the cost of checking the map, the improvement plans if any, and the cost of inspection of any such improvements by the county or its designated representative. The applicant shall also provide the county with an Engineer of Work Agreement retaining a Registered Civil Engineer to furnish construction phase services, Record Drawings and to certify the final product to the Department of Public Works.

Subdivision Review Board
CO 03-0255 / Cardenas
Page 7

6. The Registered Civil Engineer, upon completion of the improvements, must certify to the Department of Public Works that the improvements are made in accordance with all conditions of approval, including any related land use permit conditions and the approved improvement plans. All public improvements shall be completed prior to occupancy of any new structure.

Drainage

7. Submit complete drainage calculations to the Department of Public Works for review and approval.
8. If calculations so indicate, drainage must be retained in a drainage basin on the property. The design of the basin to be approved by the Department of Public Works, in accordance with county standards.
9. If a drainage basin is required, the drainage basin along with rights of ingress and egress shall be offered for dedication to the public by certificate on the map with an additional easement reserved in favor of the owners and assigns.

Wastewater Disposal

10. **Prior to the filing of the final parcel**, the applicant shall submit to and be jointly approved by the county Department of Planning and Building and Health Department, results of percolation tests and the log or logs of soil borings performed by a registered civil engineer. For this purpose, the applicant shall perform one or more soil borings to be a minimum depth of ten (10) feet in the area of the appropriate area of the proposed sewage disposal system to determine the: a) subsurface soil conditions, (example: impermeable strata which act as barriers to the effective percolation of sewage); b) presence of groundwater; c) separation between sewage disposal saturation areas and groundwater; d) borings shall be as deep as necessary below the proposed on-site disposal area to assure required separation. The applicant must perform a minimum of three (3) percolation test holes, to be spaced uniformly in the area of the proposed sewage disposal system.
11. **Prior to the filing of the final parcel**, the applicant shall submit to and be jointly approved by the county Department of Planning and Building and Health Department, results of a well completion report, a well capacity (pump test) and full water quality testing, not more than five year old prior to final recordation.

Utilities

12. Electric and telephone lines shall be installed underground or overhead.
13. Gas lines shall be installed.

Fire Protection

14. The applicant shall obtain a fire safety clearance letter from the California Department of Forestry (CDF)/County Fire Department establishing fire safety requirements prior to filing the final parcel or tract map per the CDF letter dated November 16, 2003.

Design

15. The lots shall be numbered in sequence.
16. The applicant shall apply to the Department of Planning and Building for approval of new street name prior to the filing of the final parcel map. Approved street name shall be shown on the final parcel map and on improvement plans.

Parks and Recreation (Quimby) Fees

17. Unless exempted by Chapter 21.09 of the county Real Property Division Ordinance or California Government Code section 66477, **prior to filing of the final parcel map**, the applicant shall pay the in-lieu" fee that will be used for community park and recreational purposes as required by Chapter 21.09. The fee shall be based on the total number of new parcels or remainder parcels shown on the map that do not already have legal residential units on them.

Affordable Housing Fee

18. **Prior to filing the final parcel map**, the applicant shall pay an affordable housing fee of 3.5 percent of the adopted public facility fee effective at the time of recording for each residential lot. This fee shall not be applicable to any official recognized affordable housing included within the residential project.

Additional Map Sheet

19. The applicant shall prepare an additional map sheet to be approved by the county Department of Planning and Building and the Department of Public Works. **The additional map sheet shall be recorded with the final parcel map.** The additional map sheet shall include the following:
 - a. Notification to prospective buyers of the county's Right to Farm Ordinance currently in effect at any time said deed(s) are recorded.
 - b. Notification of the consequences of existing and potential intensive agricultural operations on adjacent parcels including but not limited to noise, dust, odor and agricultural chemicals.
 - c. An agricultural buffer prohibiting residential structures, consisting of 200 feet from the western property boundary traveling south for 762 feet south from the northern property line shall be shown on the additional map sheet. This buffer shall become null and void on individual parcels within this subdivision, if the existing commercial agricultural business on adjacent parcels effecting this subdivision cease operation for a minimum of one year. **At the time of application for construction permits**, the applicant shall clearly delineate the agricultural buffer on the project plans.
 - d. If improvements are bonded for, all public improvements (roads, drainage, and utilities) shall be completed prior to occupancy of any new structure.
 - e. A notice that no construction permits will be given a final inspection until the fire safety conditions established in the letter dated November 16, 2003, from the California Department of Forestry (CDF)/County Fire Department are completed. **Prior to occupancy or final inspection**, which ever occurs first, the applicant shall obtain final inspection approval of all required fire/life safety measures.

- f. No developmental burning is allowed unless an application is filed and a burn permit is issued by the Air Pollution Control District (APCD). The application shall include the justification for burning greenwaste material on the project site as well as two written estimates for chipping, grinding, or hauling the greenwaste.
- g. **Prior to final inspection or occupancy (whichever occurs first)**, the following measures shall be applied to the proposed turf areas:
 - i. To maximize drought-tolerance and minimize water usage, warm season grasses, such as bermuda or buffalograss, shall be used;
 - ii. To minimize establishment of shallow roots, the following shall be avoided on turf areas, and provided in all applicable documents (e.g., educational brochure, CC&Rs, landscape plans): close mowing, overwatering, excessive fertilization, soil compaction and accumulation of thatch;
 - iii. Watering times shall be programmed for longer and less frequently rather than for short periods and more frequently.
- h. **Prior to issuance of construction permits**, the applicant shall show how the initial landscaping will have low-water requirements. As applicable, at a minimum the following shall be used: (1) all common area and residential irrigation shall employ low water use techniques (e.g., drip irrigation); (2) residential landscaping (turf areas) shall not exceed 2 percent (up to 5,000 sq. ft. maximum per lot) with remaining landscaping being drought-tolerant and having low water requirements (e.g. use of native vegetation, etc.); (3) all common area landscaping shall use no turf or other water intensive groundcover and will use ornamental native plants where feasible.
- i. All water fixtures installed (including showers, faucets, etc.) that are not specified in the Uniform Plumbing Code shall be of "ultra low flow" design, where applicable. Water using appliances (e.g., dishwashers, clothes washers, etc.) shall be of high water efficiency design. These shall be shown on all applicable plans prior to permit issuance.
- j. **Prior to issuance of construction permits**, the applicant shall demonstrate the proposed building(s) have a minimum of an 80-foot front setback
- k. **Prior to issuance of construction permits**, the applicant shall demonstrate the proposed building(s) have a minimum of 80-foot front setback.

Covenants, Conditions and Restrictions

20. The developer shall submit proposed covenants, conditions, and restrictions for the subdivision to the county Department of Planning and Building for review and approval. The CC&R's shall provide at a minimum the following provisions:
- a. Notification to prospective buyers of the county's Right to Farm Ordinance currently in effect at any time said deed(s) are recorded.
 - b. Notification of the consequences of existing and potential intensive agricultural operations on adjacent parcels including but not limited to noise, dust, odor and agricultural chemicals.
 - c. An agricultural buffer prohibiting residential structures, consisting of consisting of 200 feet from the western property line traveling south for 762 feet south of the northern property line shall be shown on an exhibit attached to the CC&R's. This buffer shall become null and void on individual parcels within this subdivision, if the existing commercial agricultural business on adjacent parcels effecting this subdivision ceases operation for a minimum of one year developmental burning is allowed unless an application is filed and a burn permit is issued by the Air Pollution Control District (APCD). The application shall include the justification for burning greenwaste material on the project site as well as two written estimates for chipping, grinding, or hauling the greenwaste.

- d. **Prior to final inspection or occupancy (whichever occurs first)**, the following measures shall be applied to the proposed turf areas:
 - i. To maximize drought-tolerance and minimize water usage, warm season grasses, such as bermuda or buffalograss, shall be used;
 - ii. To minimize establishment of shallow roots, the following shall be avoided on turf areas, and provided in all applicable documents (e.g., educational brochure, CC&Rs, landscape plans): close mowing, overwatering, excessive fertilization, soil compaction and accumulation of thatch;
 - iii. Watering times shall be programmed for longer and less frequently rather than for short periods and more frequently
 - iv. **Prior to issuance of construction permits**, the applicant shall show how the initial landscaping will have low-water requirements. As applicable, at a minimum the following shall be used: (1) all common area and residential irrigation shall employ low water use techniques (e.g., drip irrigation); (2) residential landscaping (turf areas) shall not exceed 2 percent (up to 5,000 sq. ft. maximum per lot) with remaining landscaping being drought-tolerant and having low water requirements (e.g. use of native vegetation, etc.); (3) all common area landscaping shall use no turf or other water intensive groundcover and will use ornamental native plants where feasible.
- e. All water fixtures installed (including showers, faucets, etc.) that are not specified in the Uniform Plumbing Code shall be of "ultra low flow" design, where applicable. Water using appliances (e.g., dishwashers, clothes washers, etc.) shall be of high water efficiency design. These shall be shown on all applicable plans prior to permit issuance.
- f. Maintenance of street within the subdivision.
- g. **Prior to issuance of construction permits**, the applicant shall demonstrate the proposed building(s) have a minimum of 80-foot front setback.

Miscellaneous

- 21. This subdivision is also subject to the standard conditions of approval for all subdivisions using individual wells and septic tanks, a copy of which is attached hereto and incorporated by reference herein as though set forth in full.
- 22. All timeframes on approved tentative maps for filing of final parcel or tract maps are measured from the date the Review Authority approves the tentative map, not from any date of possible reconsideration action.

Staff report prepared by Elizabeth Kavanaugh
and reviewed by Kami Griffin, Supervising Planner

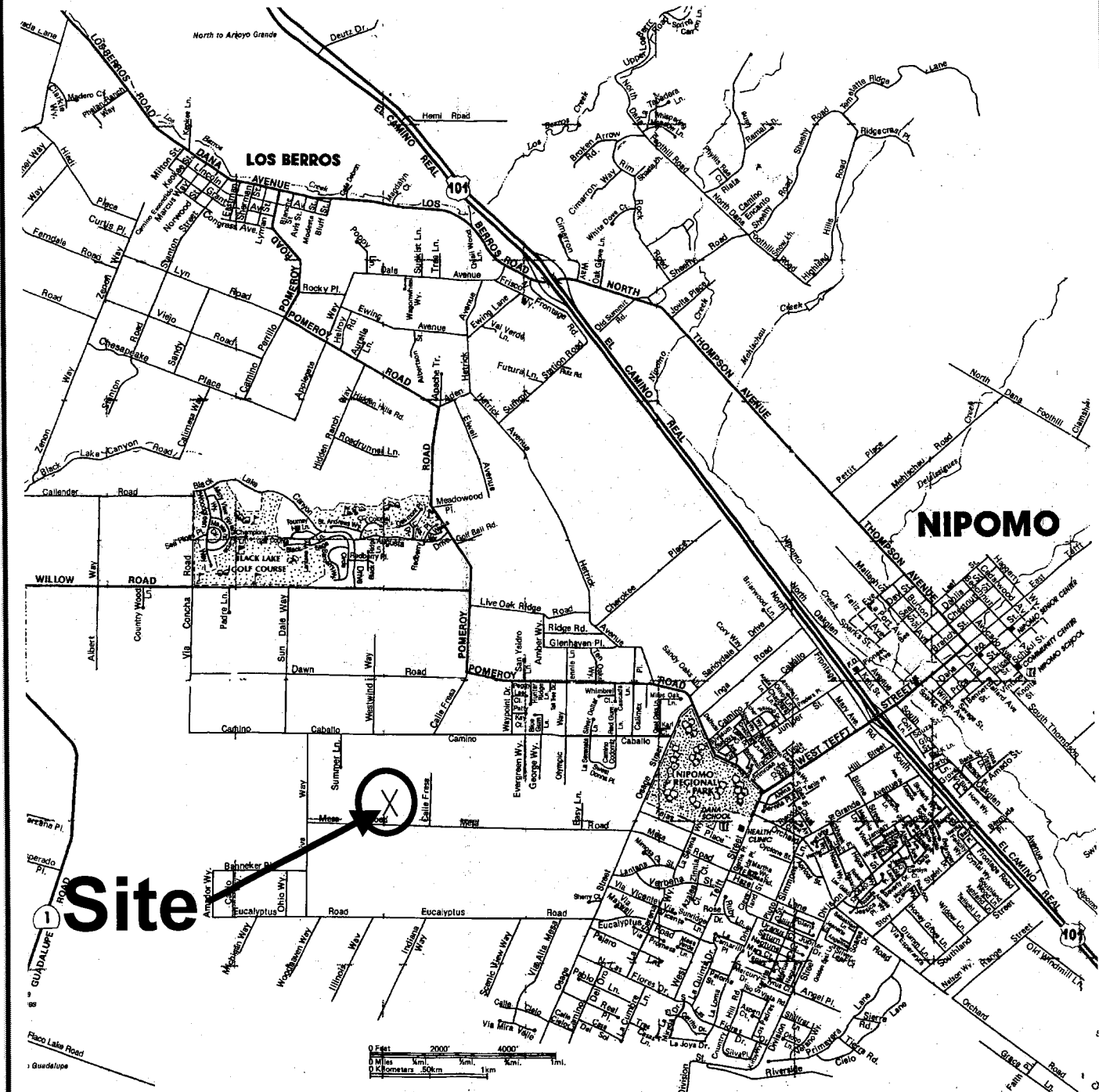
9-11

STANDARD CONDITIONS OF APPROVAL FOR SUBDIVISIONS
USING INDIVIDUAL WELLS AND SEPTIC TANKS

1. Each parcel shall have its own private well(s) for a domestic water supply approved by the county Health Department, except as set forth in 2c.
2. Operable water facilities shall exist prior to the filing of the final parcel map. Evidence of adequate and potable water, shall be submitted to the county Health Department, including the following:
 - A. (Potability) A complete on-site chemical analysis shall be submitted for evaluation for each of the parcels created or as required.
 - B. (Adequacy) On individual parcel wells or test holes, a minimum four (4) hour pump test performed by a licensed and bonded well driller or pump testing business shall be submitted for review and approval for each of the new parcels created.
 - C. If the applicant desires purveying water to two (2) or more parcels or an average of 25 or more residents or non-residents (employees, campers, etc.) on a daily basis at least sixty (60) days out of the year, application shall be made to the county Health Department for a domestic water supply permit prior to the filing of the final map. A bond may be used for operable water facilities (except well(s)). Necessary legal agreements, restrictions and registered civil engineer designed plans, in conformance with state and county laws and standards shall be submitted by the applicant and reviewed and approved by county Public Works and the county Health Department, prior to the filing of the final map.
3. On-site systems that are in conformance with the county-approved Central Coast Regional Water Quality Control Board basin plan will be an acceptable method of sewage disposal until community sewers may become available.
4. No sewage disposal system installations are to be placed closer than 100 feet from the top of any perennial or continuous creek banks, drainage swales or areas subject to inundation.
5. Sewage disposal systems shall be separated from any individual domestic well and/or agricultural well, as follows: 1) leaching areas, feed lots, etc., one hundred (100) feet and bored seepage pits (dry wells), one hundred and fifty (150) feet. Domestic wells intended to serve multiple parcels or 25 or more individuals at least 60 days out of the year shall be separated by a minimum of two hundred (200) feet from a leachfield, two hundred and fifty (250) feet from seepage pits or dry wells.
6. Sewage disposal systems installed on slopes in excess of 20% shall be designed and certified by a registered civil engineer or geologist and submitted to the county Planning Department for review and approval prior to the issuance of a building permit. Consultants shall determine geologically stable building sites and sewage disposal for each parcel, including evaluations of hillside stability under the most adverse conditions including rock saturation and seismic forces. Slopes in excess of 30% are not considered suitable or practical for subsurface sewage disposal.

9-12

7. An encroachment permit shall be obtained from county Public Works for any work to be done within the county right-of-way.
8. An encroachment permit shall be obtained from the California Department of Transportation for any work to be done on the state highway.
9. Any existing reservoir or drainage swale on the property shall be delineated on the map.
10. Prior to submission of the map "checkprints" to county Public Works, the project shall be reviewed by all applicable public utility companies and a letter be obtained indicating required easements.
11. Required public utility easements shall be shown on the map.
12. Approved street names shall be shown on the map.
13. The applicant shall comply with state, county and district laws/ordinances applicable to fire protection and consider increased fire risk to area by the subdivision of land proposed.
14. The developer submit a preliminary subdivision guarantee to county Public Works for review prior to the filing of the map.
15. Any private easements on the property shall be shown on the map with recording data.
16. All conditions of approval herein specified, unless otherwise noted, shall be complied with prior to the filing of the map.
17. After approval by the Review Authority, compliance with the preceding conditions will bring the proposed subdivision in conformance with the Subdivision Map Act and county ordinances.
18. A map shall be filed in accordance with Subdivision Map Act and county ordinance prior to sale, lease, or financing of the lots proposed by the subdivision.
19. A tentative map will expire 24 months from the effective date of the approval. Tentative maps may be extended. Written requests with appropriate fees must be submitted to the Planning Department prior to the expiration date. The expiration of tentative maps will terminate all proceedings on the matter.



PROJECT

Parcel Map
Cardenas (S030052-CO 03-0255)

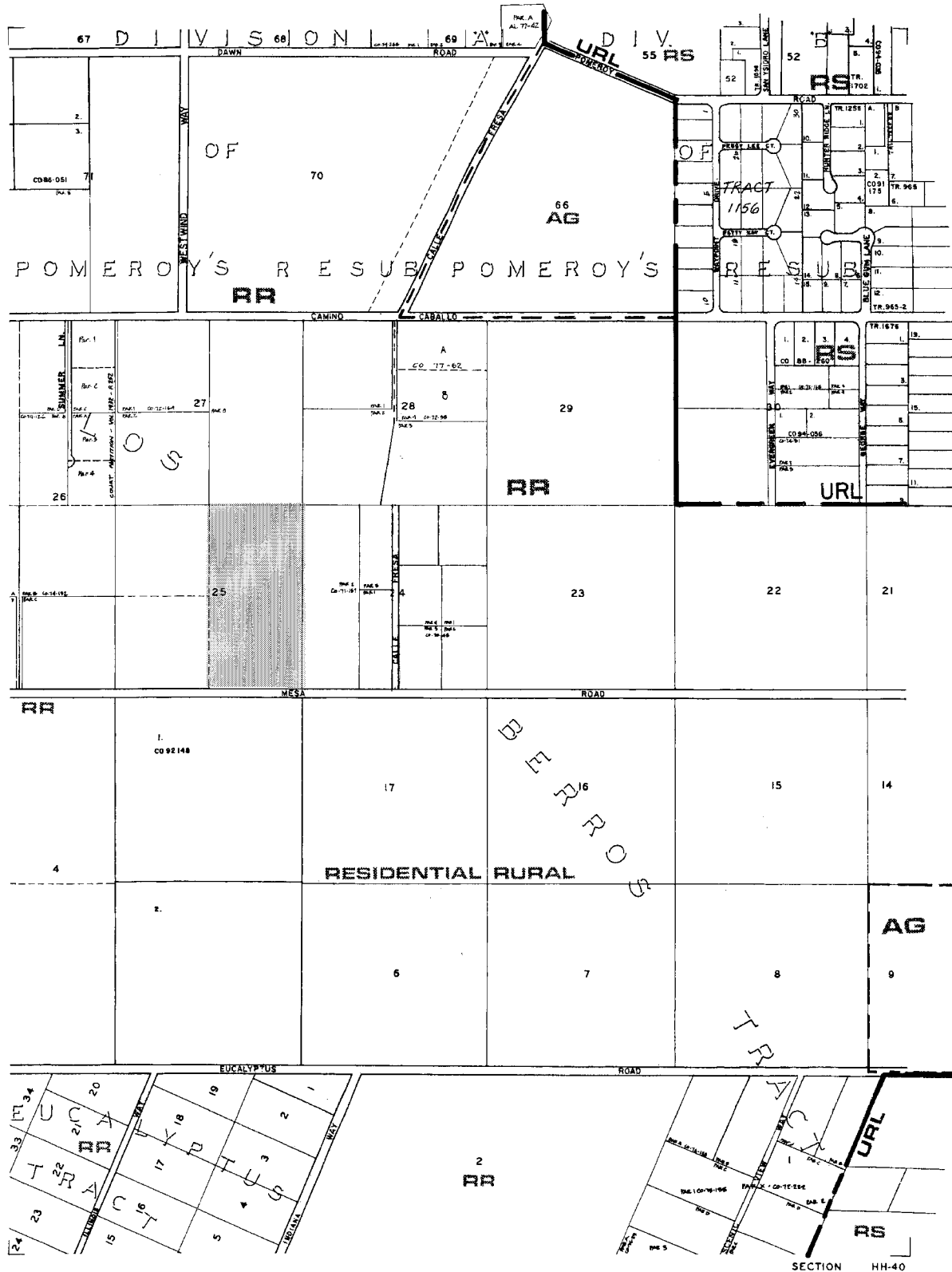


EXHIBIT

Vicinity Map

9-14

SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING



PROJECT

Parcel Map
Cardenas (S030052-CO 03-0255)

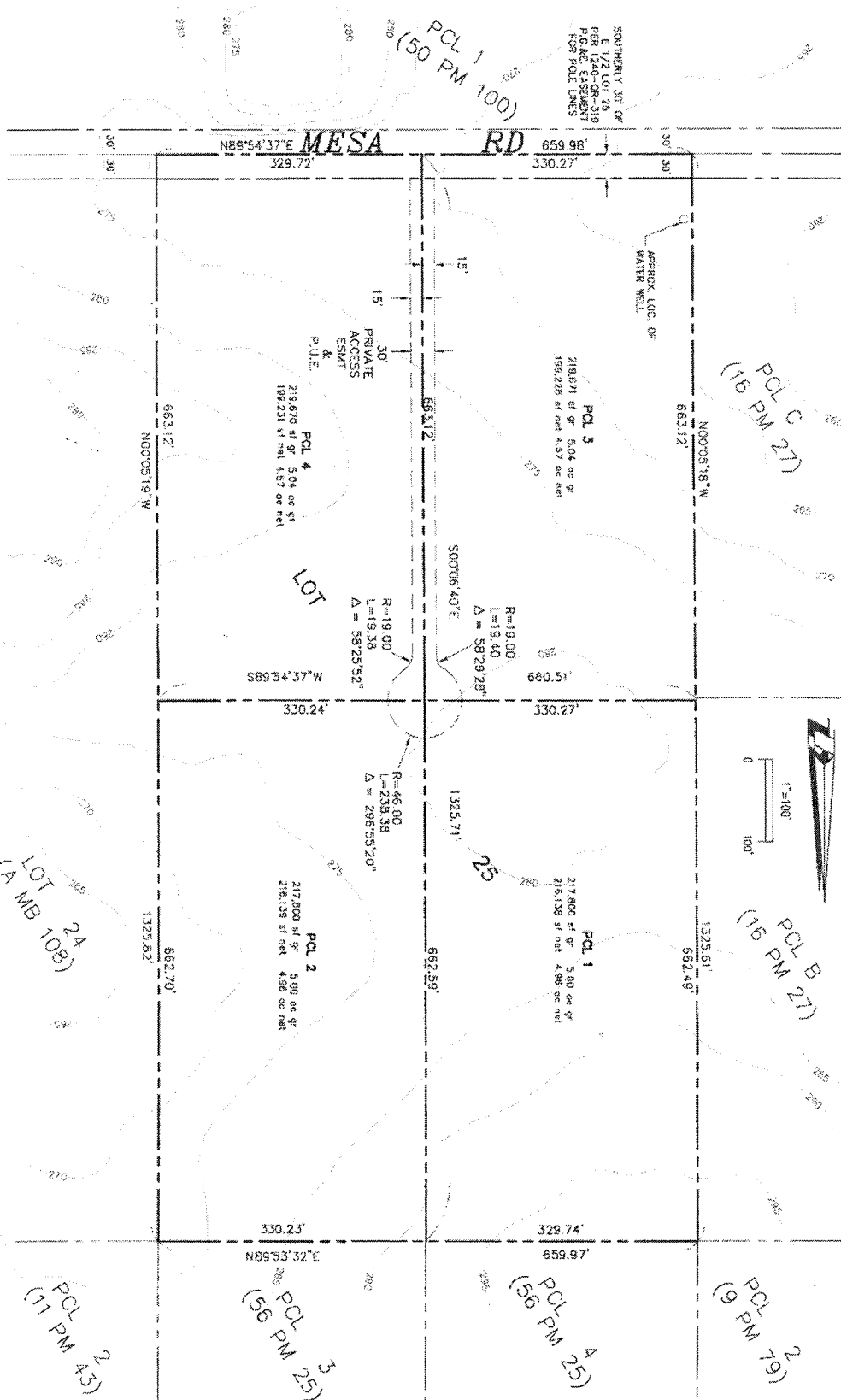


EXHIBIT

Land Use Category Map-RR

9-15

SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING



PROJECT

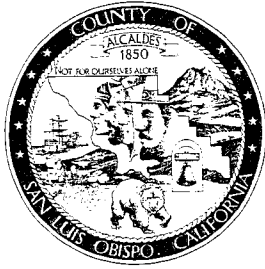
Parcel Map
Cardenas (S030052-CO 03-0255)



EXHIBIT

Site Map

9-16



COUNTY OF SAN LUIS OBISPO

Department of Agriculture/Measurement Standards

2156 SIERRA WAY, SUITE A • SAN LUIS OBISPO, CALIFORNIA 93401-4556

ROBERT F. LILLEY

(805) 781-5910

AGRICULTURAL COMMISSIONER/SEALER

FAX (805) 781-1035

AgCommSLO@co.slo.ca.us

DATE: December 15, 2003

TO: Elizabeth Kavanaugh, Planner I

FROM: Lynda L. Auchinachie, Environmental Resource Specialist *JA*

SUBJECT: Cardenas Parcel Map S030052P, 0791

The Agriculture Department's review finds that the proposal to subdivide a 20 acre parcel into four approximately five acre parcels would result in:

- ☐ **Potential** to create a significant environmental impact to agricultural resources and operations.
- ☒ **Less than significant** impact(s) to agricultural resources or operations with the incorporation of the following mitigation measures into the project.
- ☐ **No Anticipated Impact** to agricultural resources or operations.

Recommended Mitigation Measures

1. A 200 foot buffer should be established along the western property boundary of the project site for 762 feet from the northern property boundary.
2. Provide supplemental disclosure to purchasers of these properties concerning the nature of the neighboring agricultural activities and hours of operation.

The comments and recommendations in our report are based on policies in the San Luis Obispo County Agriculture and Open Space Element, the Land Use Ordinance, the California Environmental Quality Act (CEQA), and on current departmental policy to conserve agricultural resources and to provide for public health, safety and welfare while mitigating negative impacts of development to agriculture.

2. Impacts to Adjacent Agricultural Lands

One of the primary goals of the Agriculture and Open Space Element is to ensure the long-term viability of agricultural resources and operations. Part of the land use review process is to identify potential land use conflicts between proposed development and existing production agriculture.

Agricultural uses within the vicinity of the project site include strawberries, outdoor nurseries, and greenhouses. Approximately ten acres of strawberry fields are located directly to the west of the southern half of the project site. These fields are farmed in conjunction with the fields developed on the project site. The discontinuation of the 20 acres of strawberry production on the project site would result in the inability of the adjacent ten acres of strawberries to sustain production agriculture.

Pacific Sun Growers is located directly west of the northern half of the project site. The facility includes greenhouses and outdoor growing areas and is considered production agriculture. The existing facilities and areas of activity are approximately 100 feet from the project site property line. A windrow of mature trees provides some screening between the project site and the nursery facility. The development of residences could be incompatible with the existing facility.

D. Recommended Mitigation Measures

The Agriculture and Open Space Element, AGP17: Agricultural Buffers, promotes the protection of land in the Agricultural designation and/or land with agricultural production using buffers in accordance with the agricultural buffer policy.

For wholesale nurseries the buffer range is 100 - 500 feet. For this project we recommend a 200 foot buffer along the western property boundary of the project site for 762 feet from the northern property boundary. This recommended buffer is at the lower end of the range due to the development and operations of the adjacent nursery and the existing screening.

If we can be of further assistance please call: 781 - 5914



912

918

RECEIVED

NOV 19 2003

Planning & Bldg

CDF/San Luis Obispo County
Fire Department

635 N. Santa Rosa • San Luis Obispo • California, 93405

November 16, 2003

County of San Luis Obispo
Department of Planning/Building
County Government Center
San Luis Obispo, CA 93408

Dear South County Team,

PARCEL MAP PLAN

Name: Cardenas

Project Number: CO 03-0255

5030052P

The Department has reviewed the parcel map plans submitted for the proposed four parcel subdivision project located at Mesa Rd., Nipomo. The property is located within high fire hazard severity area, and will require a minimum 10-12 minute response time from the nearest County Fire Station.

The owner of the project shall meet the minimum fire and life safety requirements of the California Fire Code (2001 edition) with amendments. This fire safety plan shall remain on the project site until final inspection. The following standards are required:

ROADS STANDARDS

Access roads provide vehicular access to more than one lot of record or to one lot of record with more than four dwelling units.

Access road widths shall be a minimum of 18 feet.

Access roads shall have an unobstructed vertical clearance of not less than 13' 6".

1. Access roads shall be named and signed.
2. Access road shall terminate in a cul-de-sac type turnaround.
3. The turnaround shall have a minimum 40' radius.

Road naming and signing shall occur prior to building final.

Road name and sign information is available by phoning 781-5199.

ACCESS ROAD SURFACES

Access roads and driveways surfaces shall be:

1. All weather surfaced to a maximum grade of less than 12%.
2. Asphalt or concrete with a non-skid finish for any grade exceeding 12% to a maximum grade of 16%.
3. Meet a load capacity of 20 tons

VEGETATION CLEARANCE

To provide safety and defensible space the following shall be required:

To each side of roads and driveways a 10-foot fuel-break shall be provided.

FINAL INSPECTION

The project will require final inspection. **Please allow five (5) working days for final inspection.** When the safety requirements have been completed, **call Fire Prevention at (805) 543-4244, extension 2220**, to arrange for a final inspection. Currently Southern San Luis Obispo County inspections occur on Tuesdays and North County inspections occur on Thursdays.

Further information may be obtained from our website located at www.cdfslo.org ~ Planning and Engineering section. If we can provide additional information or assistance, please call (805) 543-4244.

9-19

Sincerely,

Gilbert R. Portillo
Fire Inspector

C: Mr. Alberto Cardenas, owner

Elizabeth



9-20
**AIR POLLUTION
CONTROL DISTRICT**
COUNTY OF SAN LUIS OBISPO

RECEIVED
OCT 24 2003
Planning & Bldg

DATE: October 23, 2003

TO: South County Team
San Luis Obispo County Department of Planning and Building

FROM: Melissa Guise *MAG*
San Luis Obispo County Air Pollution Control District

SUBJECT: Cardenas Parcel Split (S030052P/CO 03-0255)

Thank you for including the APCD in the environmental review process. We have completed our review of the proposed project located on Mesa Road in Nipomo. We have the following comments on the proposal.

This project, like so many others, falls below our emissions significance thresholds and is, therefore, unlikely to trigger a finding of significant air quality impacts requiring mitigation. However, we are very concerned with the cumulative effects resulting from the ongoing fracturing of rural land and increasing residential development in areas far removed from commercial services and employment centers. Such development fosters continued dependency of private auto use as the only viable means of access to essential services and other destinations. This is inconsistent with the land use planning strategies recommended in the Clean Air Plan, which promote the concept of compact development by directing growth to areas within existing urban and village reserve lines. The CAP recommends that areas outside the urban/village reserve lines be retained as open space, agriculture and very low-density residential development.

The District understands that under the County's Land Use Ordinance parcels within the Residential Rural category can be subdivided to a minimum lot size of five acres. We also recognize that there are significant human-interest issues that are difficult to overcome, such as the desire of some applicants to settle estate matters through property splits. However, we believe it is important to emphasize to decision makers that subdivision and future development on these, and similar rural parcels throughout the county allows a pattern of development to continue that is ultimately unsustainable in the long run. Such development cumulatively contributes to existing stresses on air quality, circulation and other natural and physical resources and infrastructure that cannot be easily mitigated. We do not support this type of development.

Again, thank you for the opportunity to comment on this proposal. If you have any questions or comments, or if you would like to receive an electronic version of this letter, feel free to contact me at 781-5912.

MAG/sll

H:\ois\plan\response\2801.doc

9-71



**SAN LUIS OBISPO
COUNTY PARKS**

MEMO

TO: South County Team
FROM: Alex McDonald
DATE: October 29, 2003
RE: Cardenas Subdivision (S030052P) (Co 03-0255)

This memo is regarding the Cardenas subdivision of Assessor Parcel Number 091-283-029, located on the northern frontage of Mesa Road and west of Calle Fresa, in the unincorporated community of Nipomo. Under the proposed project, the existing 20.08 acre parcel would be subdivided into four (4) parcels to be used for residential housing.

The Parks Division would require the following:

1. Require applicant to pay Quimby and applicable Building Division Fees.
2. The applicant shall construct the following trail corridor:
 - A. A detached trail to the County's A-1(x) standard along the Mesa Road frontage extending from the southeastern corner of proposed Parcel 4 to the southwestern corner of proposed Parcel 3 of the tentative map.

Prior to approval of the project's Final Map or improvement plans (whichever occurs first), the Parks Division shall review and approve the proposed location of the trail corridor along Mesa Road. If the applicant cannot provide the required trail corridor within the road right-of-way, the applicant shall provide a trail easement or in fee dedication (as necessary) for the required trail corridor with the final map.

If you have any questions regarding project requirements please call me at 781-4388. Thank you for the opportunity to comment.

c: Alberto & Delfina Cardenas, 1155 Grace Lane, Nipomo Ca 93444



9/12

9-27

10

SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

OCT 20 2003

VICTOR HOLANDA, AICP
DIRECTOR

THIS IS A NEW PROJECT REFERRAL

DATE:

Oct 17, 2003

FROM

Pub Works

FROM
70

So County Team

(Please direct response to the above)

Co 03-0255

SO30052P / Cardenas

Project Name and Number

Development Review Section (Phone: 788- 2009) ()

PROJECT DESCRIPTION:

Divide east 1/2 of Lot 25 into
4 parcels.

Return this letter with your comments attached no later than:

Oct 31, 2003

PART I

IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

☒ YES
☐ NO

(Please go on to Part II)

(Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II

ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

☒ NO
☐ YES

(Please go on to Part III)

(Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)

PART III

INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE OR CALL.

RECOMMEND Approval - Stacks Attached

03 Nov '03
Date

Goodwin
Name

5252
Phone

9-73

EXHIBIT B

CONDITIONS OF APPROVAL FOR CO 03-0255, CARDENAS

Approved Project

This approval authorizes the division of a _____ acre parcel into _____ parcels of _____ *acres / square feet* each.

Access and Improvements

☒ Roads and/or streets to be constructed to the following standards:

- a. MESA RD constructed to a 3/4 A-1 rural section within a 60 foot dedicated right-of-way. FRONTING THE PROJECT.
- b. _____ widened to complete a _____ section fronting the property.
- c. A Road constructed to a 3/4 A-1 rural section from the property to A Paved Public Road (minimum paved width to be 18 feet).

☐ The applicant offer for dedication to the public by certificate on the map or by separate document:

- a. For future road improvement _____ feet along _____ to be described as _____ feet from the recorded centerline.
- b. For future road improvement _____ feet along _____ to be described as _____.
- c. For road widening purposes _____ feet along _____, to be described as _____ feet from the recorded centerline.
- d. The _____ foot road easement as shown on the tentative parcel map with a _____ foot radius property line return at the intersection of _____.
- e. A _____ foot radius property line return at the intersection of _____.
- f. The _____ foot road easement terminating in a county cul-de-sac as shown on the tentative map.

- 9-24
- ☐ The intersection of _____ and _____ be designed in accordance with California Highway Design Manual.
 - ☐ Access be denied to lots _____ from _____ and that this be by certificate and designation on the map.
 - ☐ The future alignment of _____ shall be shown on the map as reserved for future public right-of-way.
 - ☒ A private easement be reserved on the map for access to lots 1 & 2.
 - ☐ A practical plan and profile for access to lots _____ be submitted to the Department of Public Works and the Department of Planning and Building for approval.
 - ☐ All grading shall be done in accordance with Appendix 33 of the Uniform Building Code. All lot lines shall be considered as Site Area Boundaries with slopes setback accordingly.

Improvement Plans

- ☒ Improvement plans shall be prepared in accordance with San Luis Obispo County Improvement Standards and Specifications by a Registered Civil Engineer and submitted to the Department of Public Works and the county Health Department for approval. The plan is to include:
 - a. Street plan and profile.
 - b. Drainage ditches, culverts, and other structures (if drainage calculations require).
 - c. Water plan (County Health).
 - d. Sewer plan (County Health).
 - e. Grading and erosion control plan for subdivision related improvement locations.
 - f. Public utility plan, showing all existing utilities and installation of all utilities to serve every lot.
 - g. Tree removal/retention plan for trees to be removed and retained associated with the required improvement for the land division to be approved jointly with the Department of Planning and Building.
 - h. Trail plan, to be approved jointly with the Park Division.

- ☒ The applicant shall enter into an agreement with the county for the cost of checking the map, the improvement plans if any, and the cost of inspection of any such improvements by the county or its designated representative. The applicant shall also provide the county with an Engineer of Work Agreement retaining a Registered Civil Engineer to furnish construction phase services, Record Drawings and to certify the final product to the Department of Public Works.

- ☒ The Registered Civil Engineer, upon completion of the improvements, must certify to the Department of Public Works that the improvements are made in accordance with all conditions of approval, including any related land use permit conditions and the approved improvement plans. All public improvements shall be completed prior to occupancy of any new structure.

- ☐ If environmental permits from the Army Corps of Engineers or the California Department of Fish and Game are required for any public improvements that are to be maintained by the County, the applicant or his engineer, prior to the approval of the plans by the Department of Public Works shall:
 - a. Submit a copy of all such permits to the Department of Public Works OR
 - b. Document that the regulatory agencies have determined that said permit is not longer required.

Drainage

9-25

- ☐ _____ is not capable of carrying additional runoff. Construct off-site drainage facilities for an adequate outlet, or provide evidence of adequate drainage easements.
- ☐ The existing drainage swale(s) to be contained in drainage easement(s) dedicated on the map.
- ☒ Submit complete drainage calculations to the Department of Public Works for review and approval.
- ☒ If calculations so indicate, drainage must be **retained/detained** in a drainage basin on the property. The design of the basin to be approved by the Department of Public Works, in accordance with county standards.
- ☒ If a drainage basin is required, the drainage basin along with rights of ingress and egress be:
 - a. granted to the public in fee free of any encumbrance.
 - ☒ b. offered for dedication to the public by certificate on the map with an additional easement reserved in favor of the owners and assigns.
 - c. reserved as a drainage easement in favor of the owners and assigns.
- ☐ If a drainage basin is required, a zone of benefit be formed within _____ for maintenance of the drainage basin. Application to be filed with the The Department of Public Works Administrator.
- ☐ If a drainage basin is required, this development be annexed to _____ for maintenance of the drainage basin. Evidence of acceptance to be filed with the Department of Public Works.
- ☐ The project shall comply with the requirements of the National Pollutant Discharge Elimination System Phase I and/or Phase II storm water program.

Wastewater Disposal

- ☐ Prior to the filing of the final parcel or tract map, the applicant shall submit to and be jointly approved by the county Department of Planning and Building and Health Department, results of percolation tests and the log or logs of soil borings performed by a registered civil engineer. For this purpose, the applicant shall perform one or more soil borings to be a minimum depth of ten (10) feet in the area of the appropriate area of the proposed sewage disposal system to determine the: a) subsurface soil conditions, (example: impermeable strata which act as barriers to the effective percolation of sewage); b) presence of groundwater; c) separation between sewage disposal saturation areas and groundwater; d) borings shall be as deep as necessary below the proposed on-site disposal area to assure required separation. The applicant must perform a minimum of three (3) percolation test holes, to be spaced uniformly in the area of the proposed sewage disposal system. (Parcel(s) _____ and _____ only).
- ☐ A community septic system shall be installed with a centralized leaching area and shall have a 100% or greater additional expansion area. The area for the community septic tank system and disposal area shall **be granted in fee on the map to the appropriate maintenance agency for maintenance with the right of ingress and egress / shall be kept as open space within easement for sewage treatment purposes granted to a homeowner's association.** Impervious paving over a disposal area is not considered acceptable.

9-26

- ☐ A long term community septic tank and disposal area maintenance plan be submitted to the the Department of Public Works and Health Department and the Regional Water Quality Control Board for review prior to the filing of the final parcel or tract map.
- ☐ The community sewage system shall be designed by a Registered Civil Engineer and operated in accordance with county, state, federal and maintenance entity laws, standards and requirements. A waste discharge permit, if required, shall be issued by the Central Coast State Regional Water Quality Control Board prior to the filing of the final parcel or tract map.
- ☐ This land division shall be annexed to _____ prior to the filing of the final parcel or tract map for **water service/water and sewer service/sewer maintenance/community septic system maintenance/**_____.

Soils Report

- ☐ A final soils report by a Registered Civil Engineer be submitted for review prior to the final inspection of the improvements.
- ☐ Three (3) copies of a Preliminary Soils Report prepared by a Registered Civil Engineer in accordance with Sections 17953, 17954, 17955 of the California Health and Safety Code shall be submitted to the Public Works, Health and Planning and Building Departments prior to the filing of the final parcel or tract map. The date and person who prepared the report are to be noted on the map.

Utilities

- ☒ Electric and telephone lines shall be installed **underground / overhead**.
- ☐ Cable T.V. conduits shall be installed in the street.
- ☒ Gas lines shall be installed.
- ☐ A _____ feet public utility easement on private property along _____, plus those additional easements required by the utility company, be shown on the final parcel or tract map.

Design

- ☐ The lots shall be numbered in sequence.
- ☐ The _____ on lot _____ be removed or brought into conformance with the **Land Use Ordinance / Coastal Zone Land Use Ordinance** prior to filing the final parcel or tract map. A demolition permit may be required.
- ☐ The lot area of _____ shall contain a minimum area of _____ exclusive of area shown for rights of way and any easement that limits the surface use for building construction (Section 22/23.04.021).

9-27



The applicant shall apply to the Department of Planning and Building for approval of new street names prior to the filing of the final parcel or tract map. Approved street names shall be shown on the final parcel or tract map *AND ON IMPROVEMENT PLANS.*

Vector Control and Solid Waste

- ☐ A determination of method of pick-up shall be specified by the waste handler and if centralized facilities for the pick-up are required, provisions shall be made within the project for central facilities that meet **Land Use Ordinance / Coastal Zone Land Use Ordinance** requirements for trash enclosures. If centralized facilities are established, this shall include provisions for recycling if service is available or subsequent installation of such facilities if recycling service becomes available in the future.

Fire Protection

- ☐ Provide minimum fire flow of _____ gallons per minute as per nationally recognized standard. Fire flows to be maintained for a minimum two-hour duration.
- ☐ The applicant shall obtain a fire safety clearance letter from the California Department of Forestry (CDF)/County Fire Department establishing fire safety requirements prior to filing the final parcel or tract map.
- ☐ Designate a fire lane within all the driveway areas. This lane to be minimum width of twenty (20) feet. *(USE FOR MULTI-FAMILY/COMMERCIAL PROJECTS ONLY)*

Parks and Recreation (Quimby) Fees

- ☐ Unless exempted by Chapter 21.09 of the county Real Property Division Ordinance or California Government Code section 66477, prior to filing of the final parcel or tract map, the applicant shall pay the in-lieu" fee that will be used for community park and recreational purposes as required by Chapter 21.09. The fee shall be based on the total **number of new parcels or remainder parcels shown on the map that do not already have legal residential units on them / or the number of dwelling units proposed in the case of a condominium, stock cooperative, or community apartment project.**
- ☐ For subdivisions of less than five parcels that are not to be used for residential purposes, if a building permit is requested for construction of a residential structure or structures on one or more of the parcels created by this subdivision within four years of recordation of the map, the Quimby Ordinance fee specified in the county fee schedule shall be paid by the owner of each parcel as a condition for the issuance of such permit.

Affordable Housing Fee

- ☐ Prior to filing the final parcel or tract map, the applicant shall pay an affordable housing in-lieu fee of 3.5 percent of the adopted public facility fee effective at the time of recording for each residential lot. This fee shall not be applicable to any official recognized affordable housing included within the residential project.

9-28

Easements

- ☐ The property owner shall grant an avigation easement to the county of San Luis Obispo. The avigation easement document shall be prepared, reviewed and approved by County Counsel prior to filing of the final parcel or tract map.
- ☐ An open space easement be recorded for the open space parcel(s). It is to be held ***in single ownership / in common by the Homeowner's Association / or transferred to a public trust or conservancy agency approved by the Department of Planning and Building***. The open space parcel is to be maintained as such in perpetuity.

Landscape Plans

- ☐ ***If a drainage basin*** is required, then submit detailed landscaping plans in compliance with Section 22/23.04.180 et seq. to the Department of Planning and Building for review and approval prior to filing of the final parcel or tract map. Said plans to include location, species, size, and method of maintenance of all proposed plant materials. All proposed plant materials shall be of a drought tolerant variety and be sized to provide a mature appearance within three years of installation. Plan to include:
 - a. Drainage basin fencing. ***(ONLY USE IF THE DRAINAGE BASIN HAS A DEPTH OF 2 FEET OR GREATER AS MEASURED FROM THE TOP OF THE RIM TO THE LOWEST PORTION OF THE BASIN)***
 - b. Drainage basin perimeter landscape screening. ***(ONLY USE FOR FENCED BASINS)***
 - c. Landscaping for erosion control.
- ☐ All approved landscaping shall be installed or bonded for prior to filing of the final parcel or tract map and thereafter maintained in a viable condition on a continuing basis. If bonded for, landscaping shall be installed within _____ days of completion of the improvements.

Mitigations PUT ANY MITIGATIONS FROM DEVELOPER STATEMENT HERE **ONLY IF THEY CAN BE COMPLETED PRIOR TO THE RECORDATION OF THE MAP**

- ☐ _____
- ☐ _____

Additional Map Sheet

- ☒ The applicant shall prepare an additional map sheet to be approved by the county Department of Planning and Building and the Department of Public Works. The additional map sheet shall be recorded with the final parcel or tract map. The additional map sheet shall include the following:

CHOOSE APPLICABLE PROVISIONS

- a. That the owner(s) of lot(s) _____ is responsible for on-going maintenance of drainage basin fencing in perpetuity.
- b. That the owner(s) of lot(s) _____ is responsible for on-going maintenance of ***drainage basin / adjacent*** landscaping in a viable condition on a continuing basis into perpetuity.
- c. That secondary dwellings shall not be allowed on ***all lots within the land division / on lots*** _____.

9-29

- d. Designated building sites (and access drives) shall be shown on the additional map sheet reflecting the approved tentative map. **At the time of application for construction permits**, the applicant shall clearly delineate the approved building site and access drive on the project plans.
- e. Notification to prospective buyers of the county's Right to Farm Ordinance currently in effect at any time said deed(s) are recorded.
- f. Notification of the consequences of existing and potential intensive agricultural operations on adjacent parcels including but not limited to noise, dust, odor and agricultural chemicals.
- g. An agricultural buffer prohibiting residential structures, consisting of _____ feet over lots _____, shall be shown on the additional map sheet. This buffer shall become null and void on individual parcels within this subdivision, if the adjacent Agriculture land use category is changed or if any existing commercial agricultural business on adjacent parcels effecting this subdivision cease operation for a minimum of one year. **At the time of application for construction permits**, the applicant shall clearly delineate the agricultural buffer on the project plans.
- h. The limits of inundation from a 100 year storm over lots _____ from _____ **creek / river** shall be shown on the additional map and note the required building restriction in the on the sheet.
- i. If improvements are bonded for, all public improvements (roads, drainage, and utilities) shall be completed prior to occupancy of any new structure.
- j. A notice that no construction permits will be given a final inspection until the fire safety conditions established in the letter dated _____ from the California Department of Forestry (CDF)/County Fire Department are completed. **Prior to occupancy or final inspection**, which ever occurs first, the applicant shall obtain final inspection approval of all required fire/life safety measures.
- k. Note to potential buyers and future owners of the property that the project is in an area from which combustion and petroleum-type odor complaints are frequently received by the Air Pollution Control District. The District Hearing Board has issued a nuisance abatement order which should improve the air quality in the Nipomo area; however, clean up is a lengthy process, therefore buyers of new lots should be advised that these conditions exist. *(ONLY USE IF WITHIN SOUTH COUNTY PLANNING AREA OR NEAR THE PLANT IN THE SAN LUIS BAY PLANNING AREA)*
- l. In the event archaeological resources are unearthed or discovered during any construction activities, the following standards apply:
 - A. Construction activities shall cease, and the Environmental Coordinator and Planning Department shall be notified so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and disposition of artifacts may be accomplished in accordance with state and federal law.
 - B. In the event archaeological resources are found to include human remains, or in any other case where human remains are discovered during construction, the County Coroner is to be notified in addition to the Planning Department and Environmental Coordinator so that proper disposition may be accomplished.
- m. PUT ANY MITIGATIONS FROM DEVELOPER'S STATEMENT HERE **ONLY IF THEY GO BEYOND RECORDATION OF THE MAP** _____

Covenants, Conditions and Restrictions

9-30

- ☒ The developer shall submit proposed covenants, conditions, and restrictions for the subdivision to the county Department of Planning and Building for review and approval. The CC&R's shall provide at a minimum the following provisions:

CHOOSE APPLICABLE PROVISIONS

- a. On-going maintenance of drainage basin fencing in perpetuity.
- b. On-going maintenance of **drainage basin / adjacent** landscaping in a viable condition on a continuing basis into perpetuity.
- b. Maintenance of drainage basin landscaping.
- c. Maintenance of common areas.
- d. Secondary dwellings shall not be allowed.
- e. Designated building sites (and access drives) shall be shown on an exhibit attached to the CC&R's reflecting the approved tentative map.
- f. Notification to prospective buyers of the county's Right to Farm Ordinance currently in effect at any time said deed(s) are recorded.
- g. Notification of the consequences of existing and potential intensive agricultural operations on adjacent parcels including but not limited to noise, dust, odor and agricultural chemicals.
- h. An agricultural buffer prohibiting residential structures, consisting of _____ feet over lots _____, shall be shown on an exhibit attached to the CC&R's. This buffer shall become null and void on individual parcels within this subdivision, if the adjacent Agriculture land use category is changed or if any existing commercial agricultural business on adjacent parcels effecting this subdivision cease operation for a minimum of one year.
- i. Maintenance of all local streets within the subdivision ~~until acceptance by a public agency.~~
- j. The limits of inundation from a 100 year storm over lots _____ from _____ **creek / river** shall be shown on an exhibit attached to the CC&R's and note the required building restriction in the in the CC&R's.
- k. Note to potential buyers and future owners of the property that the project is in an area from which combustion and petroleum-type odor complaints are frequently received by the Air Pollution Control District. The District Hearing Board has issued a nuisance abatement order which should improve the air quality in the Nipomo area; however, clean up is a lengthy process, therefore buyers of new lots should be advised that these conditions exist. (ONLY USE IF WITHIN SOUTH COUNTY PLANNING AREA OR NEAR THE PLANT IN THE SAN LUIS BAY PLANNING AREA)

l. _____

Low Cost Housing (USE IN COASTAL ZONE ONLY)

- ☐ Provide _____ residential units for low and moderate income families as defined by Section 50093 of the Health and Safety Code as part of the proposed project or elsewhere in the community. The agreement with the county for the development will include acknowledgment that it is feasible to provide a level of affordable housing in conjunction with this project. If qualified buyers have not purchased any of the _____ units within six months of the units being available for sale, and evidence can be provided that shows a reasonable advertising campaign was used to attract qualified buyers, the applicant may be relieved from the requirements to sell the units to qualified buyers.

9-37

Miscellaneous



This subdivision is also subject to the standard conditions of approval for all subdivisions using **community water and sewer / community water and septic tanks / individual wells and septic tanks**, a copy of which is attached hereto and incorporated by reference herein as though set forth in full.

- ☐ A stormwater pollution plan may be necessary from the Regional Water Quality Control Board. Provide evidence that it has been obtained or is unnecessary prior to filing the map.
- ☐ Applicant shall file with the Department of Public Works an application requesting apportionment of any unpaid assessments under the Improvement Bond Act of 1915, in compliance with Section 8740.1 of the Streets and Highways Code of the State of California. Said apportionment must be completed prior to filing the map.
- ☐ Prior to the sale of the designated remainder or omitted parcel, if applicable, the applicant shall obtain approval of a certificate of compliance or conditional certificate of compliance from the county.
- ☐ All timeframes on approved tentative maps for filing of final parcel or tract maps are measured from the date the Review Authority approves the tentative map, not from any date of possible reconsideration action.



County of San Luis Obispo • Public Health Department

Environmental Health Services

2156 Sierra Way • P.O. Box 1489
San Luis Obispo, California 93406
(805) 781-5544 • FAX (805) 781-4211

Gregory Thomas, M.D., M.P.H.
County Health Officer
Public Health Director

Curtis A. Batson, R.E.H.S.
Director

July 1, 2004

WRD Engineering
592 South 13th Street
P.O. Box 432
Grover Beach, CA 93483

ATTN: CINDY HAYES
RE: TENTATIVE PARCEL MAP CO 03-0255/ S.R.#4011 (CARDENAS)

Water Supply

This office is in receipt of satisfactory **preliminary** evidence of water. Please be advised that additional water well documentation will be required for **each** lot prior to approving the map for recordation. Adequate documentation will include the well completion report, the well capacity (pump test) and full water quality testing, not more than five years old, prior to final recordation. Any proposal to share a domestic water well would require consultation with Division staff.

Wastewater Disposal

Individual wastewater disposal systems are considered an acceptable method of disposal, provided County and State installation requirements can be met.

CO 03-0255 is approved for Environmental Health subdivision map processing.

LAURIE A. SALO, R.E.H.S.
Senior Environmental Health Specialist
Land Use Section

c: Kami Griffin, County Planning
Alberto & Delfina Cardenas, Owners

RECEIVED
JUL 01 2004
Planning & Bldg

9-33



COUNTY OF SAN LUIS OBISPO
MITIGATED NEGATIVE DECLARATION & NOTICE OF DETERMINATION

FOR OFFICIAL USE ONLY (EK/MG)

ENVIRONMENTAL DETERMINATION NO. ED004-199

DATE: April 21, 2005

PROJECT/ENTITLEMENT: Cardenas Parcel Map S030052P

APPLICANT NAME: Alberto and Delfino Cardenas

ADDRESS: 1155 Grace Lane, Nipomo, CA 93444

CONTACT PERSON: Same as applicant

Telephone: (805) 310-9350

PROPOSED USES/INTENT: . Request by Alberto and Delfino Cardenas to allow for a subdivision of a 20.08 acre parcel into four parcels approximately 5 acres each for the sale and or development of each proposed parcel.

LOCATION: On the north side of Mesa Road, approximately 1.75 miles west of Tefft Street, approximately three miles west of the community of Nipomo, in the South County (Inland) planning area.

LEAD AGENCY: County of San Luis Obispo Department of Planning & Building
 County Government Center, Rm. 310
 San Luis Obispo, CA 93408-2040

OTHER POTENTIAL PERMITTING AGENCIES: None

ADDITIONAL INFORMATION: Additional information pertaining to this environmental determination may be obtained by contacting the above Lead Agency address or (805) 781-5600.

COUNTY "REQUEST FOR REVIEW" PERIOD ENDS AT5 p.m. on May 5, 2005

20-DAY PUBLIC REVIEW PERIOD begins at the time of public notification

Notice of Determination

State Clearinghouse No. _____

This is to advise that the San Luis Obispo County _____ as ☐ *Lead Agency*
☐ *Responsible Agency* approved/denied the above described project on _____, and has made the following determinations regarding the above described project:

The project will not have a significant effect on the environment. A Negative Declaration was prepared for this project pursuant to the provisions of CEQA. Mitigation measures were made a condition of the approval of the project. A Statement of Overriding Considerations was not adopted for this project. Findings were made pursuant to the provisions of CEQA.

This is to certify that the Negative Declaration with comments and responses and record of project approval is available to the General Public at:

Department of Planning and Building, County of San Luis Obispo,
 County Government Center, Room 310, San Luis Obispo, CA 93408-2040

County of San Luis Obispo

Signature

Project Manager Name

Date

Public Agency

9-34

**CALIFORNIA DEPARTMENT OF FISH AND GAME
CERTIFICATE OF FEE EXEMPTION**

De Minimis Impact Finding

PROJECT TITLE & NUMBER: Cardenas Parcel Map; S030052P, ED04-199

Project Applicant

Name: Alberto and Delfina Cardenas
Address: 1155 Grace Lane
City, State, Zip Code: Nipomo, CA 93444
Telephone #: (805) 310-9350

PROJECT DESCRIPTION/LOCATION: See attached Notice of Determination

FINDINGS OF EXEMPTION:

There is no evidence before this agency that the proposed project has the potential for adverse effect on wildlife resources for one or more of the following reason(s):

- ☐ The project is located in an urbanized area that does not contain substantial fish or wildlife resources or their habitat.
- ☒ The project is located in a highly disturbed area that does not contain substantial fish or wildlife resources or their habitat.
- ☐ The project is of a limited size and scope and is not located in close proximity to significant wildlife habitat.
- ☐ The applicable filing fees have/will be collected at the time of issuance of other County approvals for this project. Reference Document Name and No. _____
- ☐ Other: _____

CERTIFICATION:

I hereby certify that the lead agency has made the above findings of fact and that, based upon the initial study and the hearing record, the project will not individually or cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the Fish and Game Code.



Ellen Carroll, Environmental Coordinator
County of San Luis Obispo

Date: 02/06/05

9-35



**COUNTY OF SAN LUIS OBISPO
INITIAL STUDY SUMMARY - ENVIRONMENTAL CHECKLIST**

Project Title & No. Cardenas Parcel Map; S030052P, ED04-199

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED: The proposed project could have a "Potentially Significant Impact" for at least one of the environmental factors checked below. Please refer to the attached pages for discussion on mitigation measures or project revisions to either reduce these impacts to less than significant levels or require further study.

- | | | |
|--|---|--|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Geology and Soils | <input checked="" type="checkbox"/> Recreation |
| <input checked="" type="checkbox"/> Agricultural Resources | <input checked="" type="checkbox"/> Hazards/Hazardous Materials | <input checked="" type="checkbox"/> Transportation/Circulation |
| <input checked="" type="checkbox"/> Air Quality | <input type="checkbox"/> Noise | <input checked="" type="checkbox"/> Wastewater |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Population/Housing | <input checked="" type="checkbox"/> Water |
| <input type="checkbox"/> Cultural Resources | <input checked="" type="checkbox"/> Public Services/Utilities | <input type="checkbox"/> Land Use |

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation, the Environmental Coordinator finds that:

- ☐ The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ The proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ Although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

MORRIS GROUP, INC.
Prepared by (Print)

Sharon Scott
Signature

2/26/05
Date

John McKenzie
Reviewed by (Print)

John McKenzie
Signature

Ellen Carroll,
Environmental Coordinator
(for)

2/8/05
Date

Project Environmental Analysis

The County's environmental review process incorporates all of the requirements for completing the Initial Study as required by the California Environmental Quality Act (CEQA) and the CEQA Guidelines. The Initial Study includes staff's on-site inspection of the project site and surroundings and a detailed review of the information in the file for the project. In addition, available background information is reviewed for each project. Relevant information regarding soil types and characteristics, geologic information, significant vegetation and/or wildlife resources, water availability, wastewater disposal services, existing land uses and surrounding land use categories and other information relevant to the environmental review process are evaluated for each project. Exhibit A includes the references used, as well as the agencies or groups that were contacted as a part of the Initial Study. The Environmental Division uses the checklist to summarize the results of the research accomplished during the initial environmental review of the project.

Persons, agencies or organizations interested in obtaining more information regarding the environmental review process for a project should contact the County of San Luis Obispo Environmental Division, Rm. 310, County Government Center, San Luis Obispo, CA, 93408-2040 or call (805) 781-5600.

A. PROJECT

DESCRIPTION: Proposal by Alberto and Delfina Cardenas for a parcel map to subdivide a 20.08-acre parcel into 4 parcels of approximately 5 acres each for the purpose of sale and/or development of each proposed parcel. The division will create one on-site road. The proposed project site is within the Residential Rural Land use category and is located on the north side of Mesa Road, approximately 1.75 miles west of Tefft Street, approximately three miles west of the community of Nipomo, in the South County Inland (rural) planning area (refer to Figures 1 through 4).

ASSESSOR PARCEL NUMBERS: 091-283-029

SUPERVISORIAL DISTRICT # 4

B. EXISTING SETTING

PLANNING AREA: South County (Inland), Rural

LAND USE CATEGORY: Residential Rural

COMBINING DESIGNATION(S): None applicable

EXISTING USES: Strawberry field

TOPOGRAPHY: Gently sloping

VEGETATION: Row crops (strawberries)

PARCEL SIZE: 20.08 acres

SURROUNDING LAND USE CATEGORIES AND USES:

<i>North:</i> Residential Rural; Greenhouses, residences	<i>East:</i> Residential Rural; Residences, row crops (strawberries)
<i>South:</i> Residential Rural; undeveloped	<i>West:</i> Residential Rural; residences

C. ENVIRONMENTAL ANALYSIS

During the Initial Study process, several issues were identified as having potentially significant environmental effects (see following Initial Study). Those potentially significant items associated with the proposed uses can be minimized to less than significant levels.

**COUNTY OF SAN LUIS OBISPO
INITIAL STUDY CHECKLIST**

1. AESTHETICS - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Create an aesthetically incompatible site open to public view?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Introduce a use within a scenic view open to public view?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Change the visual character of an area?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Create glare or night lighting which may affect surrounding areas?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Impact unique geological or physical features?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Other _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The proposed project site is located on north side of Mesa Road, approximately 1.75 miles west of Tefft Street. The project site consists of gently sloping topography supporting strawberry production. The project site is only visible from Mesa Road and adjacent properties. Mesa Road is a two-lane local road that provides access to the rural area. The surrounding area is predominantly undeveloped, and land uses include scattered single-family homes and agricultural operations. A nursery greenhouse operation is directly west of the project site. The nursery operation has a large hedgerow of cypress trees that provides a visual buffer between the operation and the project site.

Impact. Implementation of the proposed subdivision would result in the creation of four parcels, the widening of Mesa Road, and the construction of a paved access road into the project site. Based on the site and location of the proposed project, significant visual impacts are not expected to occur. Future development on the proposed parcels would be consistent with adjacent development.

Mitigation/Conclusion. Based on the location and design of the proposed project no significant impacts are anticipated, and no mitigation measures are necessary.

2. AGRICULTURAL RESOURCES - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Convert prime agricultural land to non-agricultural use?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

9-38

2. AGRICULTURAL RESOURCES

- Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
b) <i>Impair agricultural use of other property or result in conversion to other uses?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Conflict with existing zoning or Williamson Act program?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Other</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The proposed project site and surrounding area are located within the Residential Rural land use category. The project site is currently under agricultural production, and the fields are farmed in conjunction with an adjacent ten acres of strawberries. Greenhouse and outdoor nursery production agriculture is located on an adjacent property west of the project site. The nursery facilities and areas of activity are approximately 100 feet from the project site property line. A windrow of mature trees provides some screening between the project site and the nursery facility. The soil type mapped for the project site by the Natural Resources Conservation Service (NRCS) Soil Survey is Oceano sand (Class IV irrigated, VI non-irrigated). The soil type is listed by the California Department of Conservation as Farmland of Statewide Importance. Residences are located as close as 100 feet from the strawberry fields on adjacent properties to the north, south and east. Successful strawberry production relies on chemical applications that may conflict with residential development.

Impact. The proposed project was referred to the County Agriculture Department for review. The department determined that the discontinuation of 20 acres of strawberry production on the project site would result in the inability of the adjacent ten acres to sustain production and the development of residences could be incompatible with the existing greenhouse facility and outdoor nursery facility (Lynda Auchinachie; December 15, 2003). The conversion of strawberry production to residential development is not considered significant because: Oceano sand is not considered a prime agricultural soil; farming constraints related to the close proximity of residences on the surrounding parcels; and agricultural activities are not a primarily allowed use in the Residential Rural land use designation.

Mitigation/Conclusion. To mitigate for the impacts resulting from agricultural incompatibility the applicant has agreed to incorporate an agricultural buffer and provide supplemental disclosures to future land owners as requested by the County Agriculture Department (Lynda Auchinachie; December 15, 2003). A 200-foot buffer shall be established along the western property boundary of the project site, 762 feet from the northern property boundary. In addition, the applicant shall provide supplemental disclosure to purchasers of these properties concerning the nature of the neighboring agricultural activities and hours of operation. Implementation of these measures would mitigate potential agricultural resource impacts to less than significant.

3. AIR QUALITY - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
b) <i>Expose any sensitive receptor to substantial air pollutant concentrations?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Create or subject individuals to objectionable odors?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Be inconsistent with the District's Clean Air Plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other:</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The Air Pollution Control District (APCD) developed the CEQA Air Quality Handbook to evaluate project specific impacts and to help determine if air quality mitigation measures are needed, or if potentially significant impacts could result. A Clean Air Plan was prepared and adopted by the APCD to evaluate long-term emissions, cumulative effects, and establish county wide programs to reach acceptable air quality levels. Based on the latest air monitoring station information (per the County's Resource Management Survey annual report, 2003), the trend in air quality in the general area has improved, where unacceptable PM10 levels were exceeded twice in 2001 at the Nipomo monitoring station and were exceeded only once in 2002. The APCD estimates that automobiles currently generate about 40% of the pollutants responsible for ozone formation. Nitrous oxides (NOx) and reactive organic gasses (ROG) pollutants (vehicle emission components) are common contributors towards this chemical transformation into ozone. Dust, or particulate matter less than ten microns (PM10) that become airborne and which find their way into the lower atmosphere, can act as the catalyst in this chemical transformation to harmful ozone. In part, the land use controls currently in place for new development relating to ROG and NOx (i.e., application of the CEQA Air Quality Handbook) have helped reduce the formation of ozone.

Impact. The project site was referred to the county APCD for review. The APCD determined that the project falls below emission significance thresholds and is, therefore, unlikely to trigger a finding of significant air quality impacts requiring mitigation (Melissa Guise; October 23, 2003). Implementation of the proposed parcel map would result in the creation of four lots, and the eventual construction up to four primary single family residences. Each new residence would generate approximately 10 daily trips. Based on Table 1-1 of the CEQA Air Quality Handbook, the proposed project would generate less than 10 lbs of emissions, which is below the threshold warranting any mitigation.

The Clean Air Plan includes land use management strategies to guide decision makers on land use approaches that result in improved air quality. As identified by APCD, this development is somewhat inconsistent with the Planning Compact Communities strategy, where increasing development densities within urban areas is preferable over increasing densities in rural areas. Increasing densities in rural areas results in longer single-occupant vehicle trips and increases emissions. In this instance, this partial inconsistency is not considered significant for the following reasons: 1) the proposed density of this subdivision is still consistent with what was assumed in the last update of the Clean Air Plan, which based in part on this density, approved the necessary control measures to achieve acceptable air quality attainment in the future; and 2) standard forecast modeling (e.g., ARB URBEMIS2001) identifies that vehicles in the near future will produce substantially lower emissions (e.g., use of electric, hybrid and advanced technology vehicles). Based on the above discussion, given the smaller number of potential new residences, both individual and cumulative impacts are expected to be less than significant as it relates to the Clean Air Plan land use strategies.

In addition, each new residence will be subject to the South County Air Quality Mitigation fee, which is intended to partially mitigate the cumulative effects of new residential development within the South County planning area. This program funds several strategies within the South County to improve air quality and reduce single-occupant vehicles, by: attracting transit ridership through regional bus stop improvements; encouraging carpooling through park-and-ride lot improvements and ridesharing advertising; promoting the use of bicycles through bike lane installation; reducing dust through limited road paving of several unpaved roads; and by providing electronic information/services locally to reduce vehicle trip lengths.

In 1994, the South County Area Plan was adopted and associated EIR certified. As a part of that analysis, a cumulative assessment of the buildout impacts of the planning area was completed, which included the ultimate breakdown of the subject property as is currently proposed. While cumulative impacts to air quality was identified in the EIR as potentially significant and unavoidable, the findings recognized that the existing cumulative air quality mitigation program, combined with a slight improvement over the previous Area Plan buildout would offset some of these impacts.

Based on the location of adjacent land uses, the windy nature of the South County region, and the susceptibility of the underlying soil to wind erosion, future grading activities associated with development of the project site would potentially result in a dust nuisance.

Mitigation/Conclusion. Direct impacts are less than significant and no project specific mitigation is required. Each new residence will be subject to the South County Air Quality Mitigation fee, which is intended to partially mitigate the cumulative effects of new residential development within the South County planning area. Implementation of these measures would mitigate air quality impacts to less than significant levels.

4. BIOLOGICAL RESOURCES - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Result in a loss of unique or special status species or their habitats?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Reduce the extent, diversity or quality of native or other important vegetation?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Impact wetland or riparian habitat?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Introduce barriers to movement of resident or migratory fish or wildlife species, or factors which could hinder the normal activities of wildlife?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The project site is currently used for strawberry production and no plant or wildlife habitats were observed on the site. In addition, no wetland or riparian plant communities were observed on the project site.

Special Status Species. The California Natural Diversity Database (2004) identified one special-status plant species in the vicinity of the project site. Kellogg's horkelia (*Horkelia cuneata* ssp. *sericea*) was sited in 1969, growing in a sandy field approximately four miles west of Nipomo.

9-41

Setting. The project site is currently used for strawberry production and no plant or wildlife habitats were observed on the site. In addition, no wetland or riparian plant communities were observed on the project site.

Special Status Species. The California Natural Diversity Database (2004) identified one special-status plant species in the vicinity of the project site. Kellogg's horkelia (*Horkelia cuneata* ssp. *sericea*) was sited in 1969, growing in a sandy field approximately four miles west of Nipomo.

Impact. The project site does not support any sensitive native vegetation, significant wildlife habitats, or special status species. No significant impacts to biological resources would occur as a result of the proposed project.

Mitigation/Conclusion. No significant impacts to biological resources were identified, and no mitigation measures are necessary.

5. CULTURAL RESOURCES - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Disturb pre-historic resources?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Disturb historic resources?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Disturb paleontological resources?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Other _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact. The proposed project site is located in an area historically occupied by the Obispeño Chumash. Significant prehistoric and historic cultural resources are known to exist in the area. No paleontological resources are known to exist in the area.

A Phase One archaeological surface survey and records search were conducted on the proposed project site. Based on the results of the Phase One report, no evidence of cultural materials was noted on the project site (C.A. Singer and Associates; January 20, 2004). Based on the lack of resources found, impacts to cultural resources are unlikely to occur as a result of the proposed project.

Mitigation/Conclusion. In the event subsurface archaeological resources are discovered during construction, the applicant is required to halt work pursuant to Section 22.10.040 of the County Land Use Ordinance. Based on the above discussion and anticipated absence of cultural materials, no additional mitigation measures are necessary.

6. GEOLOGY AND SOILS - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Result in exposure to or production of unstable earth conditions, such as landslides, earthquakes, liquefaction, ground failure, land subsidence or other similar hazards?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

9-42

6. GEOLOGY AND SOILS -
Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
b) <i>Be within a CA Dept. of Mines & Geology Earthquake Fault Zone (formerly Alquist Priolo)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Result in soil erosion, topographic changes, loss of topsoil or unstable soil conditions from project-related improvements, such as vegetation removal, grading, excavation, or fill?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Change rates of soil absorption, or amount or direction of surface runoff?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Include structures located on expansive soils?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Change the drainage patterns where substantial on- or off-site sedimentation/ erosion or flooding may occur?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <i>Involve activities within the 100-year flood zone?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) <i>Be inconsistent with the goals and policies of the County's Safety Element relating to Geologic and Seismic Hazards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) <i>Preclude the future extraction of valuable mineral resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j) <i>Other _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact.

Geology. The topography of the project site is gently sloping. The project site is outside of the Geological Study Area designation. The landslide risk potential is considered low. The liquefaction potential during a ground-shaking event is considered moderate. No active faulting is known to exist on or near the subject property.

Drainage. The area proposed for development is outside the 100-year Flood Hazard designation. As described in the NRCS Soil Survey, the soils onsite are considered well drained. The closest creek is located in Black Lake Canyon, which is over one half mile northwest of the site. No specific measures above what will already be described by ordinance or code are considered necessary.

Sedimentation and Erosion. The soil type mapped on the project site is Oceano sand. The soil surface is considered to have a low erodibility. No specific measures above what will already be described by ordinance or code are considered necessary.

Mitigation/Conclusion. Based on the geological, drainage, and soil characteristics of the project site, there is no evidence that measures above what is required by ordinance or code are required.

7. HAZARDS & HAZARDOUS MATERIALS - *Will the project:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Result in a risk of explosion or release of hazardous substances (e.g. oil, pesticides, chemicals, radiation) or exposure of people to hazardous substances?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Interfere with an emergency response or evacuation plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Expose people to safety risk associated with airport flight pattern?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Increase fire hazard risk or expose people or structures to high fire hazard conditions?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) <i>Create any other health hazard or potential hazard?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Other _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The proposed project is not within the Airport Review area. The project is not expected to conflict with any regional evacuation plan.

Hazardous Materials. The proposed project site is currently used for strawberry farming. Pesticides including Methyl Bromide, are commonly used in the production of strawberries.

Fire Hazard. The proposed project site is located within a high severity risk area for fire.

Impact.

Hazardous Materials. The proposed project was referred to the County Agriculture Department. The Department noted that Methyl Bromide is typically applied to strawberry fields prior to planting but it is volatile and residues are generally not found in the soil. In addition, the soils are sandy and pesticide residues easily leach from sandy soils (Mike Isensee; November 12, 2004). Based on the characteristics of the project site, significant impacts as a result of historic pesticide use would not occur as a result of the proposed project.

Fire Hazard. The proposed project was referred to the California Department of Forestry/County Fire (CDF) for review. No significant fire safety risk was identified, however, standard fire safety measures are required by CDF when future development is proposed.

Mitigation/Conclusion. The mitigation measures required by CDF for the proposed project include: access road and driveway specifications, water storage tank to serve existing and proposed structures and vegetation clearance requirements (Gilbert Portillo; November 16, 2003). Vegetation clearance would consist of mowing fast burning grasses and forbs. The applicant would be required to comply with all CDF requirements prior to final inspection of future residences. Based on the above discussion, and compliance with CDF measures, no significant impacts as a result of hazards or hazardous materials are anticipated with the implementation of the proposed mitigation, and no additional mitigation measures are necessary.

9-44

8. NOISE - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Expose people to noise levels which exceed the County Noise Element thresholds?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Generate increases in the ambient noise levels for adjoining areas?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Expose people to severe noise or vibration?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Other</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact. The proposed project site is located adjacent to Mesa Road, a two-lane local road extending from Tefft Street to Viva Road. This section of Mesa Road is located west of Tefft Street, primarily serves local landowners and residents in the immediate area, and does not generate a significant level of transportation-related noise. The topography between Mesa Road and the project site is gently sloped. The Woodlands development to the west proposes to use Mesa Road as one of its access points. The EIR identifies a 65-foot centerline setback, which is less than the 80-foot front set back, which is required for new residences. Future residential development will contribute minimal noise to the surrounding area. The proposed project will not generate or be exposed to any other significant stationary or transportation-related noise sources.

Mitigation/Conclusion. The potentially significant noise impacts are mitigated with other existing requirements and no additional mitigation measures are necessary.

9. POPULATION/HOUSING - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Induce substantial growth in an area either directly or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Displace existing housing or people, requiring construction of replacement housing elsewhere?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Create the need for substantial new housing in the area?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Use substantial amount of fuel or energy?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. Implementation of the proposed parcel map would result in the construction of up to four new residences. The future development would not displace existing housing or people, or use a substantial amount of fuel or energy to construct and maintain. No significant population and housing impacts are expected to occur as a result of the proposed project.

9-45

Mitigation/Conclusion. No significant population/housing impacts were identified, therefore, no mitigation measures are necessary.

10. PUBLIC SERVICES/UTILITIES

- Will the project have an effect upon, or result in the need for new or altered public services in any of the following areas:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Fire protection?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Police protection (e.g., Sheriff, CHP)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Schools?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Roads?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Solid Wastes?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Other _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact. The project area is served by the County Sheriff's Department and CDF/County Fire as the primary emergency responders. The project is almost equally close to CDF's Nipomo Mesa station and the one in Nipomo, which are about 3.5 miles away. The closest Sheriff substation is in Oceano, approximately 8.5 miles northwest of proposed project site. The project is located in the Lucia Mar Unified School District.

No significant project-specific impacts to utilities or public services were identified. This project, along with others in the area will have a cumulative effect on police and fire protection, and schools. The project's direct and cumulative impacts are within the general assumptions of allowed use for the subject property that was used to estimate the fees in place. Public facilities fees will be used to mitigate impacts caused by new development projects within the County.

Mitigation/Conclusion. For police/sheriff protection, the applicant is subject to a "fair share" fee through the Countywide Public Facilities fee program. To minimize impacts to the school system, the State requires that the proposed project contribute its "fair share" based on the structure's square footage (State Government Code 65995 et sec.). No additional mitigation measures are necessary

11. RECREATION - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Increase the use or demand for parks or other recreation opportunities?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Affect the access to trails, parks or other recreation opportunities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Other _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

9-46

Setting/Impact. The proposed project site is not located in the vicinity of any recreational resources, and the County Trails Master Plan does not show a proposed trail on the project site. Local residents utilize existing roads in the area for equestrian trail use.

The proposed project was referred to the San Luis Obispo County Parks Division for review. The Division is recommending that the applicant build a detached trail to County's A-1(x) standard along the Mesa Road frontage extending from the south-eastern corner of proposed Parcel 4 to the south-western corner of proposed Parcel 3 of the tentative parcel map (Alex McDonald; October 29, 2003). This project, along with numerous others, will increase the cumulative demand for recreation facilities. Implementation of the proposed development with residential development on four lots would contribute to the local and cumulative demand for recreational resources in the area.

Mitigation/Conclusion. The applicant has agreed to either provide the required trail corridor in the Mesa Road right of way, or provide a trail easement or in fee dedication (as necessary) for the required trail corridor outside of the right of way. To mitigate for cumulative impacts to recreational resources, the applicant is required to pay Quimby and Building Division fees (Alex McDonald; October 29, 2003). Quimby fees are used in lieu of dedication of land for park and recreational facilities to provide funds for maintenance of existing parks and acquisition of land. Based on the above discussion impacts to recreational resources would be mitigated to less than significant.

12. TRANSPORTATION/ CIRCULATION - <i>Will the project:</i>		Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a)	<i>Increase vehicle trips to local or areawide circulation system?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b)	<i>Reduce existing "Levels of Service" on public roadway(s)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	<i>Create unsafe conditions on public roadways (e.g., limited access, design features, sight distance, slow vehicles)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	<i>Provide for adequate emergency access?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e)	<i>Result in inadequate parking capacity?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f)	<i>Result in inadequate internal traffic circulation?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g)	<i>Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., pedestrian access, bus turnouts, bicycle racks, etc.)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h)	<i>Result in a change in air traffic patterns that may result in substantial safety risks?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i)	<i>Other _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

9-47

Setting/Impacts. The proposed project site is accessed by Mesa Road, a two-lane local road that extends from Tefft Street to Viva Road. The construction of four single-family residences would result in the generation of approximately 40 average daily traffic trips. The proposed project was referred to the County Department of Public Works for review. The Department did not identify any significant traffic or circulation concerns regarding the proposed project, and recommended standard improvements to Mesa Road (Mike Goodwin; October 17, 2003).

Mitigation/Conclusion. To mitigate for cumulative impacts, each new residence will be subject to a fair share fee to pay for improvements needed at build out for the more heavily used County roads. Implementation of the proposed project would not result in any significant traffic impacts, and no additional mitigation above what is typically required for subdivisions is necessary.

13. WASTEWATER - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Violate waste discharge requirements or Central Coast Basin Plan criteria for wastewater systems?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Change the quality of surface or ground water (e.g., nitrogen-loading, daylighting)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Adversely affect community wastewater service provider?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) <i>Other</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact. Future development of the proposed parcels would include the installation of on-site individual wastewater systems. Based on the Natural Resource Conservation Service (NRCS) Soil Survey map, the soil type where the on-site wastewater system will be placed is Oceano sand. Based on the NRCS Soil Survey, the main limitation of this soil for wastewater effluent is poor filtering characteristics. Distance to the groundwater basin is at least 200 feet.

Poor filtering characteristics. This characteristic indicates that due to the very permeable soil, without special engineering, larger separations will be required between the leach lines and the groundwater basin to provide adequate filtering of the effluent. To achieve compliance with the Central Coast Basin Plan, additional information will be needed prior to issuance of a building permit, such as soil borings at leach line locations, to show that there will be adequate separation.

Impact. The proposed project would include individual wastewater systems to handle wastewater effluent. The effectiveness and safety of the systems may be compromised by the poor filtering. The proposed project was referred to County Environmental Health and it was determined that stock conditions for a tentative tract map would be adequate to mitigate wastewater impacts to insignificance (Laurie Salo; July 1, 2004).

Mitigation/Conclusion. Due to limited availability of information relating to the soil limitations, additional information would be needed prior to issuance of building permits. In addition to comprehensive soil testing results, the applicant has agreed to submit soil boring and percolation test results for the proposed parcels showing that there is adequate filtering, separation, percolation rates, and depth to bedrock. If site conditions are not adequate for standard septic systems, County-approved plans for an engineered wastewater system would be required prior to issuance of

9-48

construction permits. Implementation of these measures would ensure that no significant wastewater impacts occur as a result of the proposed tract map.

14. WATER - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Violate any water quality standards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Discharge into surface waters or otherwise alter surface water quality (e.g., turbidity, temperature, dissolved oxygen, etc.)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Change the quality of groundwater (e.g., saltwater intrusion, nitrogen-loading, etc.)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Change the quantity or movement of available surface or ground water?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) <i>Adversely affect community water service provider?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) <i>Other</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact.

Surface Water. The project site is gently sloping. The closest creek is located in Black Lake Canyon, which is over one half mile northwest of the site. As described in the NRCS Soil Survey, the soil surface is considered to have low erodibility.

Water Usage. The proposed project would use on-site wells as its water source. The Environmental Health Division reviewed the project for water availability and determined that there is preliminary evidence that there will be sufficient water available to serve the proposed project (Laurie Salo, July 1, 2004). Based on the project description, as shown below, reasonable "worst case" indoor water usage would likely be 5.04 acre-feet/year (afy): 1.26 afy X 4 primary dwellings = 5.04 afy (City of Santa Barbara Water Demand Factor & Conservation Study "User Guide"; August 1989).

A substantial portion of indoor water is usually recharged back into the water table through the wastewater system. Concentrated areas of recharge, such as community systems or large detention basins can increase the amount recharged back into the groundwater basin. Individual on-site septic systems recharge back to the groundwater basin at a lesser rate. This estimate does not include water required for landscaping, which would be an additional unknown amount. Approximately 90% of landscape water is typically lost through evapo-transpiration, with about 10 % recharged back into the groundwater table. Based on the location of existing drainages and creeks in the region, there is sufficient evidence of available water sources in the area. Annual use of 5.76 acre-feet by the proposed project would not significantly reduce available water supply in the region.

The project will be using water extracted from the Santa Maria groundwater basin, which is made up of three interconnected sub areas (Tri-Cities, Nipomo Mesa, Santa Maria). Based on the most recent comprehensive study completed for this basin (State Department of Water Resources, "Water Resources of the Arroyo Grande-Nipomo Mesa Area", 2002), while extractions will increase above current levels over the next twenty years, the study concludes that "Supplies appear adequate to meet water demands through water year 2020". However, the study recognizes that there is a sizeable

local pumping depression on the Nipomo Mesa that has changed the dynamics of flow between two sub areas (Santa Maria, Nipomo Mesa). The study warns that seawater intrusion could result from this existing pumping depression if water management practices are not changed in the future and this depression continues to grow. Also, due mainly to the absence of current evidence of seawater intrusion, DWR concludes that the basin is not in a state of overdraft. The report does recommend a number of measures to improve monitoring of the basin as well as increase the use of recycled water. On November 2, 2004, the Board of Supervisors certified RMS Level of Severity 2 for water supply in the Nipomo Mesa area, defined as the area subject to the 2.3% growth limit, as depicted in the Growth Management Ordinance. Effective immediately, the County Flood Control and Water Conservation District will implement improved well-monitoring and water quality monitoring programs for this area. Implementation of the proposed project would not result in project-specific impacts to the water supply, but would contribute to the cumulative demand for resources.

Mitigation/Conclusion.

Surface Water. Standard drainage and erosion control measures will be required for the proposed project and will provide sufficient measures to adequately protect surface water quality.

Water Usage. The applicant would be required to submit comprehensive water data including all water well logs, pump tests, and complete water analysis for all wells prior to final map recordation. An exhibit showing all well locations, septic systems, and easements would also be required. The applicant has agreed to submit all required water data to the County Division of Environmental Health prior to final map recordation.

In addition, construction plans for development on the proposed parcels must include indoor and outdoor water conservation measures. Indoor water conservation measures would include: low water-use toilets, showerheads, and faucets; automatic shut-off devices for bathroom and kitchen faucets; and point-of-use supplemental water heater systems or circulating hot water systems in bathrooms and kitchen. Outdoor conservation measures include: limited landscape area, low water-use plant materials, limited turf area, soil moisture sensors, and drip irrigation systems. Homeowners will be provided with an operating manual with instructions on how to use and maintain water conservation hardware. Based on implementation of these measures impacts to water resources would be less than significant.

15. LAND USE - Will the project:	Inconsistent	Potentially Inconsistent	Consistent	Not Applicable
a) Be potentially inconsistent with land use, policy/regulation (e.g., general plan [county land use element and ordinance], local coastal plan, specific plan, Clean Air Plan, etc.) adopted to avoid or mitigate for environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Be potentially inconsistent with any habitat or community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be potentially inconsistent with adopted agency environmental plans or policies with jurisdiction over the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

9-50

15. LAND USE - Will the project:	Inconsistent	Potentially Inconsistent	Consistent	Not Applicable
d) Be potentially incompatible with surrounding land uses?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Other _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact. The proposed project was reviewed for consistency with policy and regulatory documents relating to the environment and appropriate land use (e.g. County Land Use Ordinance, and the South County Area (Inland) Area Plan). The project was found to be consistent with these documents. The proposed project is not within or adjacent to a Habitat Conservation Plan area. The surrounding land uses consist of scattered single-family residences, agricultural uses, and undeveloped land. The proposed project is compatible with these surrounding uses because the uses proposed are allowed within the Residential Rural land use category and are in character with these surrounding uses. Refer to the Air Quality section for discussion on consistency with the Clean Air Plan.

Mitigation/Conclusion. No inconsistencies were identified; therefore, no additional measures above what will already be required were determined necessary.

16. MANDATORY FINDINGS OF SIGNIFICANCE - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current probable future projects)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

For further information on CEQA or the county's environmental review process, please visit the County's web site at "www.sloplanning.org" under "Environmental Review", or the California Environmental Resources Evaluation System at "http://ceres.ca.gov/topic/env_law/ ceqa/ guidelines/" for information about the California Environmental Quality Act.

9-51

Exhibit A - Initial Study References and Agency Contacts

The County Planning or Environmental Division has contacted various agencies for their comments on the proposed project. With respect to the subject application, the following have been contacted (marked with a ☒) and when a response was made, it is either attached or in the application file:

<u>Contacted</u>	<u>Agency</u>	<u>Response</u>
<input checked="" type="checkbox"/>	County Public Works Department	Attached
<input checked="" type="checkbox"/>	County Environmental Health Division	Attached
<input checked="" type="checkbox"/>	County Agricultural Commissioner's Office	Attached
<input checked="" type="checkbox"/>	County Parks and Recreation Division	Attached
<input type="checkbox"/>	County Assessor Department	None
<input checked="" type="checkbox"/>	Air Pollution Control District	Attached
<input type="checkbox"/>	Regional Water Quality Control Board	Not Applicable
<input type="checkbox"/>	CA Department of Conservation	Not Applicable
<input type="checkbox"/>	CA Department of Fish and Game	Not Applicable
<input checked="" type="checkbox"/>	CA Department of Forestry	Attached
<input type="checkbox"/>	CA Department of Transportation	Not Applicable
<input checked="" type="checkbox"/>	Nipomo Community Services District	In File**

**** "No comment" or "No concerns"-type responses are usually not attached**

The following checked ("☒") reference materials have been used in the environmental review for the proposed project and are hereby incorporated by reference into the Initial Study. The following information is available at the County Planning and Building Department.

<input checked="" type="checkbox"/> Project File for the Subject Application	<input checked="" type="checkbox"/> South County (Inland) Area Plan and Update EIR
<input checked="" type="checkbox"/> County documents	<input checked="" type="checkbox"/> South County Circulation Study
<input type="checkbox"/> Airport Land Use Plans	<u>Other documents</u>
<input checked="" type="checkbox"/> Annual Resource Summary Report	<input checked="" type="checkbox"/> Archaeological Resources Map
<input checked="" type="checkbox"/> Building and Construction Ordinance	<input checked="" type="checkbox"/> Area of Critical Concerns Map
<input type="checkbox"/> Coastal Policies	<input checked="" type="checkbox"/> Areas of Special Biological Importance Map
<input checked="" type="checkbox"/> Framework for Planning (Coastal & Inland)	<input checked="" type="checkbox"/> California Natural Species Diversity Database
<input checked="" type="checkbox"/> General Plan (Inland & Coastal), including all maps & elements; more pertinent elements considered include:	<input checked="" type="checkbox"/> Clean Air Plan
<input checked="" type="checkbox"/> Agriculture & Open Space Element	<input checked="" type="checkbox"/> Fire Hazard Severity Map
<input checked="" type="checkbox"/> Energy Element	<input checked="" type="checkbox"/> Flood Hazard Maps
<input checked="" type="checkbox"/> Environment Plan (Conservation, Historic and Esthetic Elements)	<input checked="" type="checkbox"/> Natural Resources Conservation Service Soil Survey for SLO County
<input checked="" type="checkbox"/> Housing Element	<input checked="" type="checkbox"/> Regional Transportation Plan
<input checked="" type="checkbox"/> Noise Element	<input checked="" type="checkbox"/> Uniform Fire Code
<input checked="" type="checkbox"/> Parks & Recreation Element	<input checked="" type="checkbox"/> Water Quality Control Plan (Central Coast Basin – Region 3)
<input checked="" type="checkbox"/> Safety Element	<input checked="" type="checkbox"/> GIS mapping layers (e.g., habitat, streams, contours, etc.)
<input checked="" type="checkbox"/> Land Use Ordinance	
<input checked="" type="checkbox"/> Real Property Division Ordinance	
<input checked="" type="checkbox"/> Trails Plan	
<input checked="" type="checkbox"/> Solid Waste Management Plan	

9-52

In addition, the following project specific information and/or reference materials have been considered as a part of the Initial Study:

C.A. Singer & Associates, Inc. January 20, 2004. *Results of Phase One Archaeological Surface Survey for the Cardenas Project on Mesa Road, San Luis Obispo County, CA*

Exhibit B - Mitigation Summary Table**Agricultural Resources**

- AG-1 Prior to transfer of the parcels created by this subdivision, the applicant shall disclose to prospective buyers of all parcels created by this proposal the consequences of existing and potential intensive agricultural operations on adjacent parcels including, but not limited to: dust, noise, odors and agricultural chemicals and the County's Right to Farm and Leash ordinances currently in effect at the time said deed(s) are recorded.
- AG-2 Prior to recordation of the final map, the applicant shall provide an agricultural buffer on the subject property as follows:
- a. A 200 foot buffer should be established along the western property boundary of the project site for 762 feet from the northern property boundary.
- No structures used for human habitation shall be constructed in the buffer area. The agricultural buffer shall no longer be in effect if the adjacent agricultural use is discontinued (refer to Exhibit C).

Recreation

- R-1 Prior to recordation of the final map the applicant shall show a detached trail to the County's A-1(x) standard along the Mesa Road frontage extending from the south-eastern corner of proposed Parcel 4 to the south-western corner of proposed Parcel 3 of the tentative parcel map.
- R-2 Prior to recordation of the final map or improvement plan (whichever occurs first), the Parks Division shall review and approve the proposed location of the trail corridor along Mesa Road. If the applicant cannot provide the required trail corridor within the road right-of-way, the applicant shall provide a trail easement or in fee dedication (as necessary) for the required trail corridor with the final map.

Wastewater

- WW-1 Prior to issuance of grading and construction permits for individual lot development on Lots 1, 2, 3, and 4, the applicant shall submit soil borings showing adequate separation between lines and percolation rate test results at each leach line location showing adequate percolation rates. If soil conditions do not permit a standard leach field, the applicant shall submit plans for an engineered wastewater system.

Water

- W-1 Prior to recordation of the final map, the applicant shall submit comprehensive water data including all water well logs, pump tests, and complete water analysis for all proposed wells to the County Department of Environmental Health for review and approval. A full size exhibit showing all well locations and easements shall also be submitted.
- W-2 Prior to issuance of building permits for development on the proposed parcels, proposed construction plans must include indoor water conservation measures including: low water-use toilets, showerheads, and faucets; automatic shut-off devices for bathroom and kitchen faucets; and point-of-use supplemental water heater systems or circulating hot water systems in bathrooms and kitchen. Landscape plans for the proposed parcels must include outdoor conservation measures including: limited landscape area, low water-use plant materials, limited turf area, soil moisture sensors, and drip irrigation systems.

9-54

DATE: February 9, 2005

**DEVELOPER'S STATEMENT FOR
CARDENAS PARCEL MAP; S030052P; EDD4-199**

The applicant agrees to incorporate the following measures into the project. These measures become a part of the project description and therefore become a part of the record of action upon which the environmental determination is based. All development activity must occur in strict compliance with the following mitigation measures. These measures shall be perpetual and run with the land. These measures are binding on all successors in interest of the subject property.

Note: The items contained in the boxes labeled "Monitoring" describe the County procedures to be used to ensure compliance with the mitigation measures.

The following mitigation measures address impacts that may occur as a result of the development of the project.

Agricultural Resources

- AG-1 Prior to transfer of the parcels created by this subdivision,** the applicant shall disclose to prospective buyers of all parcels created by this proposal, the consequences of existing and potential intensive agricultural operations on adjacent parcels including, but not limited to: dust, noise, odors and agricultural chemicals and the county's Right to Farm and Leash ordinances currently in effect at the time said deed(s) are recorded.

Monitoring: County Public Works Department, in consultation with the Department of Planning and Building, shall verify that opens space easement has been recorded prior to final map approval.

- AG-2 Prior to recordation of the final map,** the applicant shall provide an agricultural buffer on the subject property as follows:
- A 200-foot buffer should be established along the western property boundary of the project site for 762 feet from the northern property boundary.
- No structures used for human habitation shall be constructed in the buffer area. The agricultural buffer shall no longer be in effect if the adjacent agricultural use is discontinued.

Monitoring: County Public Works Department, in consultation with the Department of Planning and Building, shall verify that required documents have been submitted prior to final map approval.

Recreation

- R-1 Prior to recording of the final map,** the applicant shall show a detached trail to the County's A-1(x) standard along the Mesa Road frontage extending from the south-eastern corner of proposed Parcel 4 to the south-western corner of proposed Parcel 3 of the tentative parcel map.
- R-2 Prior to recording of the final map or improvement plan (whichever occurs first),** the Parks Division shall review and approve the proposed location of the trail corridor along Mesa Road. If the applicant cannot provide the required trail corridor within the road right-of-way, the applicant shall provide a trail easement or in fee dedication (as necessary) for the required trail corridor with the final map.

Environmental Determination: EDD4-199

9-55

DATE: February 9, 2005

Monitoring: County Parks Department, in consultation with the Department of Planning and Building, shall verify that opens space easement has been recorded prior to final map approval.

Wastewater

WW-1 Prior to issuance of grading and construction permits for individual lot development, the applicant shall submit soil borings showing adequate distance to bedrock and adequate separation between lines and percolation rate test results at each leach line location showing adequate percolation rates. If soil conditions to not permit a standard leach field, the applicant shall submit plans for an engineered wastewater system.

Monitoring: The Department of Planning and Building shall verify receipt of required documentation and/or plans.

Water

W-1 Prior to recordation of the final map, the applicant shall submit comprehensive water data including all water well logs, pump tests, and complete water analysis for all proposed wells to the County Department of Environmental Health for review and approval. A full size exhibit showing all well locations and easements shall also be submitted.

W-2 Prior to issuance of building permits for development on the proposed parcels, proposed construction plans must include indoor water conservation measures including: low water-use toilets, showerheads, and faucets; automatic shut-off devices for bathroom and kitchen faucets; and point-of-use supplemental water heater systems or circulating hot water systems in bathrooms and kitchen. Landscape plans for the proposed parcels must include outdoor conservation measures including: limited landscape area, low water-use plant materials, limited turf area, soil moisture sensors, and drip irrigation systems. Homeowners will be provided with an operating manual with instructions on how to use and maintain water conservation hardware.

Monitoring: The Department of Planning and Building shall verify receipt of required documentation and/or plans.

The applicant understands that any changes made to the project description subsequent to this environmental determination must be reviewed by the Environmental Coordinator and may require a new environmental determination for the project. By signing this agreement, the owner(s) agrees to and accepts the incorporation of the above measures into the proposed project description.

Signature of Owner(s)

Date

Name (Print)